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EXPLORING THE CULTURAL CONCEPTUALISATIONS AND UNDERSTANDINGS
OF CHILD FOSTERING AND THE CONCEPT OF THE CHILD'S BEST INTERESTS
AMONG THE DAGOMBA OF NORTHERN GHANA

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PhD Social Policy
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2015

DECLARATION

I certify that this thesis is of my own composition based on an original piece of research work with due acknowledgement of other sources cited. The thesis, to the best of my knowledge, has not been submitted for the award of any other degree or professional qualification.

Sign: Date:

DEDICATION

To my Mum and Dad, **Ms Bukari Mariama** and **Mr. Ibrahim Yakubu** (late), thank you for the opportunity of an education.

ACKNOWLEDGEMENT

ALHAMU LILLAHI RABBIL ALAMIN!

The completion of this PhD thesis is made possible with the kindness, inspiration and support of a number of special people in my life including my family and friends.

First and foremost, I am highly indebted to my supervisors: Prof. Kay Tisdall and Dr. Gary Clapton for their dedication, mentorship and inspiration throughout this PhD journey. Their advice and guidance, patience, constructive criticism and commitment to empowering me to do a good job right from the start of my PhD journey has made me a better researcher at the end of the day. I have enjoyed being your student and would ask for the same pair of supervisors given the opportunity. *N pah'ya pam*, Prof. Kay Tisdall *mini* Dr. Gary Clapton.

My special and sincere gratitude to my family most especially my mother, Maltiti, my late sister (Baby), and favourite uncle, Chief Vo Naa Bawa. Similar gratitude goes to all my aunts, uncles, brothers and sisters. Thank you all very much for the love, prayer and support. I am also eternally grateful to my wife, Zara Seini, who I left behind in Ghana only a month after our wedding to come back to Edinburgh. This work is not less of yours than it is mine.

I also wish to express my heartfelt gratitude to some special friends both far and near who have contributed in diverse ways to making this a success: Mohammed Yahaya, Dr. Sulemana Iddrissu, Lt Abu S. Zakariah, Osman Mesuna Deliman, Abigail Kate Reid and her family, Florence Muriithi and Anita, David and his family, Afa Razak and his family, and all the lovely colleagues I met at Edinburgh University. You guys rock and I am glad to have you in my life.

Finally, I acknowledge my indebtedness to the Ghana Education Trust Fund (GETFund) for the sponsorship. Our relationship might have been difficult from the start but deep within me it has never been anything personal. I guess the hard way was the only. Thank you for the sponsorship.

LIST OF ABBREVIATIONS

ACRWC: African Charter on the Rights and Welfare of the Child

CC: Christian Council

DoC: Department of Children

DoSW: Department of Social Welfare

ECCD: Early Childhood Care and Development

fCUBE: Free Compulsory Universal Basic Education

GDHS: Ghana Demography Health Survey

GETFund: Ghana Education Trust Fund

GNCRC: Ghana NGO Coalition on the Rights of the Child

GNMC: Ghana National Media Commission

GoG: Government of Ghana

GPRS: Ghana Poverty Reduction Strategy

LEAP: Livelihood Empowerment against Poverty

MC: Muslim Council

MoJ: Ministry of Justice

NGOs: Non-governmental Organisations

OAU: Organisation of African Unity

OVC: Orphans and Vulnerable Children

RQ: Research Question

SSA: Sub-Sahara Africa

TR: Traditional Ruler

UK: United Kingdom

UN: United Nations

UNCRC: United Nations Convention on the Rights of the Child

UNICEF: United Nations International Children and Education Fund

LIST OF FIGURES

Figure 1: Map of Ghana

Figure 2: Map of Northern Region

LIST OF TABLES

Table 1: Terminology

Table 2: Research sample

Table 3: Themes for data analysis

Table 4: Key studies used in literature review

ABSTRACT

Anthropological and demographic studies show that in sub-Saharan Africa a large proportion of non-orphaned children (up to 1/3 in many communities) live with neither parent but often with relatives for a significant part of their childhood. This practice is referred to as child fostering or fosterage. Child fostering is therefore understood in the literature as the transfer, and/or sharing, of parental responsibility of children and young people or simply the movement of children and young people between and within families.

The practice is both an age-old and a modern phenomenon which has implications in the daily and future lives of those children involved including their nutrition, health, education, migration and ultimately their best interests. Depending on the context, culture, rationale and families involved in the fostering of a particular child the practice is carried out differently across geographies and sometimes within geographies as a result of which it deserves academic attention. The overarching aim of this study is therefore to explore the cultural conceptualisations and understandings of child fostering and the concept of the child's best interests among the Dagomba of northern Ghana. The study also examines the challenges of existing legislation and policies in Ghana regarding the practice.

The study employed a qualitative research approach and involved children and young people, birth and foster parents and professionals who influence policies about children and young people in Ghana. In total, 42 respondents participated in individual interviews. I also used 'spider diagrams' as a supplementary research instrument for children and young people because I considered these child-friendly, fun and culturally appropriate for their ages (See Appendix IX). The emergent themes are explored and discussed in four findings chapters under part four of the thesis. The majority of respondents demonstrated extensive knowledge about child fostering and the concept of the child's best interests. Respondents' critical views and their recommendations for legislation and policy in Ghana are reflected on in the penultimate chapter. Finally, recommendations are made by way of contribution to theory,

policy and practice. The research also suggests areas for future research by way of a reflection.

Table of Contents

DECLARATION.....	i
DEDICATION.....	ii
ACKNOWLEDGEMENT.....	iii
LIST OF ABBREVIATIONS	iv
LIST OF FIGURES	vi
LIST OF TABLES	vi
ABSTRACT.....	vii
PART ONE.....	1
Chapter 1 Background to research study	1
1.1 Introduction.....	1
1. 2 Rationale of the study	4
1.3 Settling on a research topic and matters of reflexivity.....	4
1.4 Terminology.....	5
1.5 Thesis outline	7
Chapter 2 Research context: Ghana and the Dagomba	8
2.1 Introduction.....	8
2.2 Country overview - Ghana.....	8
2.3 The northern region.....	11
2.4 Tamale.....	14
2.5 The Dagomba: History, culture and family system	14
2.5.1 Family structure	15
2.5.2 Marriage and children.....	16
2.5.3 Religion.....	19
2.5.4 Local economy.....	20
2.5.5 Urban and rural Dagbon.....	20
2.5.6 Relationship between the region and other parts of the country	21
2.5.7 Legislative and policy context	22

2.6 Chapter conclusion.....	23
PART TWO.....	25
Chapter 3 Literature.....	25
3.1 Introduction.....	25
3.2 Exploring childhood.....	26
3.2.1 Childhood in international context.....	26
3.2.2 Childhood in the ‘Majority World’ context	30
3.3 Child fostering in the international context.....	32
3.4 Child fostering in Sub-Sahara Africa.....	34
3.4.1 Definitions and typologies	37
3.4.2 Characteristics of fostering in SSA.....	39
3.4.3 Reasons for fostering in SSA.....	41
3.4.4 Factors that shape the experiences of foster children and fostering outcomes in SSA	45
3.4.5 Merits and demerits of fostering in SSA.....	48
3.5 Child fostering versus child migration.....	50
3.6 Discourse of the best interests of the child	51
3.6.1 Evolution of the principle	52
3.6.2 Domains of operation and the principle’s implementation	53
3.6.3 Role and interpretations of the best interests principle	56
3.6.4 Debates on the merits and demerits of the principle	57
3.7 Chapter conclusion.....	60
PART THREE.....	63
Chapter 4 Methodology	63
4.1 Introduction.....	63
4.2 Research aim and questions	63
4.3 Epistemological issues	63
4.4 Doing qualitative research	65
4.5 Research design	66

4.5.1 Selecting research sites	67
4.5.2 Selecting participants	68
4.5.3 Sampling process	71
4.5.4 Data collection	74
4.5.5 Data presentation	76
4.5.6 Data analysis	77
4.6 The search strategy	79
4.7 Research limitations	84
4.8 Challenges of doing the research	84
4.8.1 Ethical challenges	85
4.8.2 Practical challenges	88
4.9 Chapter conclusion	89
PART FOUR: EMPIRICAL CHAPTERS	91
Chapter 5 Making sense of Dagomba child fostering practices.....	91
5.1 Introduction	91
5.2 Terminology and age of fostering	91
5.3 Respondents' views and understandings of the broader meanings of Dagomba fostering	94
5.4 Respondents' views on the importance of Dagomba fostering	97
5.5 Respondents' perceptions and attitudes to Dagomba fostering	102
5.6 Chapter conclusion	105
Chapter 6 The 'Doing Bit'	108
6.1 Introduction	108
6.2 The decision to foster and who is fostered	108
6.3 Processes, events and the rites involved in Dagomba fostering	111
6.4 Subsequent dynamics and matters of child welfare	117
6.4.1 The role and importance of relationships	117
6.4.2 Challenges of Dagomba child fostering	120
6.4.3 Outcomes: Successes and failures	122

6.5 Chapter conclusion.....	124
Chapter 7 The best interests of the child under Dagomba child fostering	126
7.1 Introduction.....	126
7.2 Conceptualisation: Terminology, understandings and experiences	126
7.2.1 First line of conceptualisation (‘Happiness’).....	127
7.2.2 Second line of conceptualisation (‘Education and training’).....	128
7.2.3 Third line of conceptualisation (‘The provision of basic necessities of life).....	131
7.3 Practical demonstrations of the child’s best interests	132
7.3.1 Child survival and development under Dagomba fostering.....	132
7.3.2 Non-discrimination under Dagomba fostering.....	135
7.3.3 Children’s participation under Dagomba fostering.....	137
7.4 ‘Bringing it all home’: A reflection on responses	141
7.5 Chapter conclusion.....	143
Chapter 8 Legislation and policy challenges in the traditional foster care system in Ghana 144	144
8.1 Introduction.....	144
8.2 History of legislation on children in Ghana	144
8.3 The language question	146
8.4 Respondents’ awareness of existing legislation and policy in Ghana.....	148
8.5 Respondents’ recommendations for legislation and policy	151
8.6 Chapter conclusion.....	155
PART FIVE	156
Chapter 9 Conclusions and recommendations	156
9. 1 Introduction.....	156
9.2 Research conclusions	156
9.3 Research recommendations.....	161
9.3.1 Recommendation for theory.....	161
9.3.2 Recommendations for policy and practice	164
9.4 Reflections and future research.....	166

9.5 Final thoughts.....	168
References.....	169
Appendices.....	182
Appendix I: Letter of introduction	182
Appendix II: Research information sheet	183
Appendix III: Letter of introduction to parents.....	186
Appendix IV: Consent form (Student).....	188
Appendix V: Consent form (Parents).....	189
Appendix VI: Overview of interview questions	191
Appendix VII: Research participants	197
Appendix VIII: Themes for analysis.....	199
Appendix IX: Spider diagrams	203
Appendix X: Research sites	217

PART ONE

Chapter 1 Background to research study

1.1 Introduction

Throughout sub-Saharan Africa (hereafter, SSA), the term ‘family’ is conceptualised and understood both in theory and in practice as more than the biological mother, father and children. It is therefore natural for children to grow up with many relatives, ‘mothers’, ‘fathers’, ‘brothers’, ‘sisters’, ‘uncles’, ‘aunts’ and ‘grandparents’ – who share responsibility for their care and to whom they are obligated throughout life (Oni, 1995). In sub-Saharan African societies members of the same extended family are expected to support one another according to well-understood hierarchical relationships including respect and obedience toward elders and ensure the care for women and children (Boyden, 1997; Moran, 1992). Even when living away from one another, extended family members feel they share a special bond, and effort is made to maintain contact – to visit regularly, to exchange gifts and other resources as well as to come together to celebrate the birth of a child or mourn the death of a family member. Therefore, although children and young people hold a special place in African families, they do not only belong to the birth family in these societies.

As children and young people belong not only to birth families but to kin groups as well (Nsamenang, 1992), it follows that conceptions of ‘parenthood’ are relatively more inclusive than those of nuclear families in other societies in the ‘Minority World’ (Nhlapo, 1993). Although ‘parenthood’ is still central to the birth family identity (Nsamenang, 1992), it is rarely considered that only the birth parents have the responsibility to raise competent children and young people in SSA. Their conception of parenthood allows for various ‘relatives’ to participate in different aspects of nurturing, socializing and educating children and young people (Harkness and Super, 1995; Lloyd and Blanc, 1996; Tronick, Morelli and Ivey, 1992; Weisner and Gallimore, 1977). For instance, grandmothers may be involved in feeding children, older ‘brothers’ and ‘sisters’ in instilling cultural values, aunts and uncles in introducing them to marketing skills or other vocational skills, and wealthier relatives in contributing to their education (Kuyini, Alhassan, Tollerud, Weld and Harruna, 2009; Spiegel, 1986). The transfer of children within and between families or the sharing of child caring responsibilities among relatives therefore has a privileged place in most societies in SSA. This practice is referred to in the literature as fostering or fosterage.

By definition, child fostering in SSA is seen as a temporary and reversible transfer of child rearing responsibilities to other people than the birth parents (Goody, 1982; Oppong, 1973). The practice in this part of the world is embedded in a complex system of reciprocal obligations among relatives and is accompanied by the exchange of goods and services over a long stretch of time (Akresh, 2009). It is usually not about finding a family for a child; rather, the child is already a recognised member of the family (Serra, 2000). The functions served by the child, birth and/or foster families vary depending on whether the fostering is carried out in either rural or urban settings, but also in families with different socio-economic characteristics. According to Goody (1982), while some aspects of fostering are 'traditional'; other aspects are 'modern'. The 'traditional' aspects are connected to customary child training, and to the requirement that, for preparing for certain professions, a child not only learns from the master, but also works for and lives with the master. The 'modern' aspects of fostering include the increasingly importance of western education in most societies across the sub-region (Fiawoo, 1978; Bledsoe, 1994). Child fostering therefore plays a significant role in many societies in SSA today just as it did in the past including roles that are often seen to be reinforcing the culture and traditions of the people.

The fostering of children and young people in SSA therefore presents a topic of considerable interest to a number of fields of study including economics, nutrition, social policy and social work. For instance, to the economists, their interests might be in researching how the practice induces the circulation of people, goods and services across families (Serra, 1996); the nutritionists might be interested in how the practice affects the child's nutritional and health status, which may influence the child's future physical and mental development (Ainsworth, 1967; Bledsoe and Brandon, 1992; Castle, 1995); and the educationists might be concerned with how child fostering interacts with the education and training of the child or how it influences the human capital potential of the child (Ainsworth, Beegle and Koda, 2005; Lloyd and Desai, 1992; Sinclair, 1972; Akresh, 2004). The practice might also affect long-term parental choices about fertility and intergenerational transfers with repercussions for the next generation's welfare, natural resources and technology (Dasgupta, 1993) and child health (Shell-Duncan, 1994). Child fostering is also often linked to social concerns such as child labour, child trafficking and child migration (Ainsworth, Beegle and Kada, 2005).

This research is therefore based on the premise that child fostering is an important yet under-studied micro-institution with policy implications. In the particular case of Ghana, as many families foster today as they did in the past although there is evidence to suggest that migration and mobility might have loosened the cohesiveness of the extended family. This appears contrary and challenges suggestions made by Blanc and Lloyd ten years ago in their research study that the incidence of child fostering is decreasing in some areas in SSA (Blanc and Lloyd, 1994). Child fostering in Ghana therefore seems to play a crucial role in the socio-economic, cultural and sometimes political lives of individuals, families, nations and country. The practice is however variedly done across cultures and societies. For instance, in Ghana, the decision to foster in and/or foster out by families is carried out privately and negotiated without recourse to the law. Although the State has legislated on the practice, there is no formal state regulation. This research study explored the cultural conceptualisation and understandings of child fostering and children's best interests among the Dagomba of northern Ghana and its implication for policy.

The best interests of the child principle is explored in relation to child fostering in this research because the principle is a central theme in international, regional and national children rights instruments such as: the United Nations Convention on the Rights of the Child (hereafter, UNCRC), the African Charter on the Rights and Welfare of the Child (hereafter, ACRWC) and the Children's Act of Ghana (hereafter, Act 560). The principle is therefore popular in adjudicating matters that affect the lives of children and young people. Although universally acknowledged, the best interests principle does not necessarily make sense to a majority of people in practice or is implemented evenly, particularly in the 'Majority World' (Sloth-Nielsen, 2008). I sought to put this to test in this research using the Dagomba child fostering.

The research aims to contribute to the literature on child fostering and the discourse on children's best interests because studies on child fostering in Africa have been traditionally limited mainly to fields such as anthropology, demography and economics. Research that analyses fostering and how the practice relates to the child's best interests is limited nationally and internationally. The findings of the research will seek to contribute to theory, policy and practice and can also be used as a basis for future research.

1.2 Rationale of the study

Since child fostering is seen to have both a direct and/or indirect link to social issues including child labour, child trafficking and child migration both within and across the borders of most countries in SSA, I hope that the study outcomes will ultimately contribute to policy debates about the practice in Ghana. I also hope my research findings will contribute to knowledge and complement existing literature towards a fuller understanding of how child fostering and the child's best interests are conceptualised, understood and interpreted internationally.

1.3 Settling on a research topic and matters of reflexivity

The idea and interest in researching child fostering and the best interests of the child for a PhD evolved at a period in time when I was engaged as a teacher in an institution called Donyland Lodge¹. I enjoyed the role, learnt a lot about the children and young people, their families, the role social workers play in the day-to-day lives of these children and their families as well as the legislation and policy relating to children and young people in England. At Donyland I also realised the dichotomy between the welfare system in England and that of Ghana (my nation of birth). Unlike the English system, the social welfare system and services in Ghana are poorly resourced and there is a lack of direct relationship between families and state agents working within the child welfare sector. I then developed a sense of curiosity about the differences between the two welfare systems in relation to children not living with their biological parents.

I felt it might be an interesting project and a worthwhile endeavour to explore how concepts such as child fostering and the child's best interests are conceptualised and understood in the Ghanaian context. My initial assumption being that children and young people who are not living with their biological parents are more prone to abuse and neglect within contexts where there is no state involvement to oversee such arrangements. Considering the diversity of

¹ Donyland Lodge is a residential therapeutic community and school providing 52 week a year provision for young people aged 11 – 18 years who are placed by referring Social Services, Local Education Authorities and Health Trust. The Lodge aims to provide a warm, caring environment where traumatised and troubled young people can find a supportive residential programme of appropriate educational and therapeutic intervention. The hope is to help young people gain confidence in themselves, understand their worth in society and raise their self-esteem (Donyland Lodge website. Accessed on 14/09/12).

cultures and languages in Ghana, I chose the Dagomba and Tamale in northern region as the research context because of my understanding of the culture and language of the Dagomba.

The research is fully funded by the Ghana Education Trust Fund (GETFund). GETFund scholarships are awarded by the government of Ghana to needy Ghanaian students to enable them to pursue higher education. The scholarship is part of the government's human resource development agenda since the establishment of the GETFund Act in 2000, under Act 581. Beneficiaries of the scholarship are under no obligation to engage in particular research or to portray the government of Ghana in any better light than their research findings suggest.

Throughout the research process I was conscious of the potential of me being 'too close' to the research because of my prior knowledge about child fostering and the culture of the Dagomba. However, such knowledge proved a strength during the course of the research and was used to the benefit of the project in the end – for instance, in negotiating access and asking culturally appropriate questions. I also used helpful techniques such as keeping a reflective diary to reflect on my own views, and question them. Finally, I utilised the availability and support of my supervisors and colleagues who sometimes offered alternative viewpoints on how to approach the research.

1.4 Terminology

Many concepts in Dagbani are difficult to express directly in English language, especially words/concepts that carry extensive cultural baggage. This is particularly true with words which when translated into English may convey connotations that do not exist or make sense. For this reason, I have maintained those Dagbani words that could not be easily translated into English, with explanations in the text. The following are the main terminologies and their meaning used in this research.

Table 1: Terminology

Terminology	Meaning
Birth parents	The biological parents of the child
Child	A person under age 18
Foster parents	Parents other than biological parents
Foster children	Children raised outside the home of their birth parents either by kin and/or non-kin
Majority World	Countries in Africa, Asia and Latin America
Minority World	Countries in Europe, Australia, New Zealand, Japan, USA and Canada
Professionals	These are persons and/or representatives of institutions who have authority either to decide how children and young people shall be treated or have the power to empower another to make that decision. This included lawyers, religious leaders, NGOs working with children and young people and a media person.
Young person	A person between the ages of 18-25. It is the transitional period from childhood to adulthood during which an individual is expected to transform from a family-dependent person to an independent adult and integrate into the society as a “responsible” citizen. Traditionally, it also means the period a person prepares to become an active and fully responsible member of the society.

I use the terms ‘Majority World’ for developing countries and ‘Minority World’ for developed countries because I think that such a division is a reminder that the majority of the world’s population live in economically disadvantaged parts of the world such as Africa, Asia and Latin America and that only a minority of the world’s population live in the economically advantaged parts of the world such as Europe, Australia, New Zealand, Japan, USA and Canada. The term highlights the fact that these countries are indeed the majority of humankind. It also brings to sharp attention the anomaly that the Group of Eight countries - whose decisions affect majority of the world’s peoples - represent a tiny fraction of humankind. The phrase ‘Majority World’ defines the community in terms of what it is, rather than what it lacks (Boyden, 1990). I also think that the ‘Majority World’ and ‘Minority

World' divide is an invitation to reflect on the global inequalities and unequal power relations between the two world areas although such simple binary distinction can be criticised for oversimplifying a more complex picture (Marsh and Keating, 2006). For instance countries such as China, Venezuela, India, Malaysia, and Singapore do not seem to fall into either of the two extremes but rather fall in between the two categorisations. Nonetheless, I am convinced that such a division is useful for this research because the realities and construction of children and childhood in the 'Majority World' countries stand opposed to the realities and constructions of children and childhood in the 'Minority World' countries. These differences and distinctions therefore provide a provocative template for this research project.

1.5 Thesis outline

The thesis is written in five parts constituting nine chapters: two lead-in chapters, six core chapters and one lead-out chapter. Part One consists of the first two chapters that provide an introduction and background to research, the research context and the researched. They are considered the lead-in chapters. Part Two provides a review of the literature on childhood, child fostering, child migration and the best interests of the child. The literature review under each key concept seeks to explore the differences and similarities between the 'Majority World' and 'Minority World' in terms of understandings of these key concepts. The methodology chapter constitutes Part Three of the thesis which details the research methods were used and the reasons that informed the choices. Part Four represents the four empirical chapters of the study. Here the data is presented, analysed and discussed based on emergent themes. Finally, Part Five, the lead-out chapter, provides summaries on how each research question was answered and recommendations for theory, policy and practice. It also provides suggestions for future research and a reflection by way of a final thought about the research.

Chapter 2 Research context: Ghana and the Dagomba

2.1 Introduction

This section introduces the research context and respondents. It provides a geo-political and economic history of Ghana as well as a detailed description of the region, locality and people under study.

2.2 Country overview - Ghana

Until the later part of the 15th century, Ghana's history was passed on from one generation to the other mainly orally (Mahama, 2004). The country was then known as the Gold Coast but was renamed Ghana when it gained independence on March 6, 1957. The historical reason behind the renaming has been that the people who lived in the country at the time of independence were descendants of migrants from the ancient Kingdom of Ghana.

Ghana had several encounters with the Europeans in the past, the first contact dating back to 1470, when a party of Portuguese visited the then Gold Coast (Kimble, 1963). The Danes, Dutch, English, Germans, and Portuguese all controlled and ruled various parts of the Gold Coast at some point in time in the country's history. By 1821 the British succeeded in establishing authority over the Ashanti region and took control of all the forts along the Coastal belt which they used for trading. They also annexed the northern territories as a protectorate by 1902 (Kimble, 1963); and then in December 1946, the British Togoland, which was originally a German colony. Following a plebiscite in 1956, it was agreed by the UN that the territory would become part of Ghana when the Gold Coast gained its independence in 1957 (Metcalf, 1994). Throughout the British rule, the country was ruled under a League of Nations mandate.

Politically, the four territorial divisions - the Coastal area, the Ashanti region, the northern territories and the British Togoland - were ruled as separate entities until 1946 after which the British administered them as one country (Mahama, 2009). The country has since experimented with a mixture of political regimes including military and constitutional

regimes. Ghana is currently administered democratically based on the 1992 Constitution. It is seen by many as one of the thriving democracies in sub-Saharan Africa.

Geographically, Ghana is centrally sited on the coast of West Africa with a 238,537 square kilometres total land mass (Ghana Statistical Service (GSS), 2008). The country also prides itself of a heterogeneous society (Ahorsu and Gebe, 2011). It is bordered by: Togo on the east, Burkina Faso on the north and northwest, Côte d'Ivoire on the west and the Gulf of Guinea on the south. Administratively, Ghana is currently divided into ten regions; Ashanti, Brong-Ahafo, Central, Eastern, Greater Accra, Northern, Upper East, Upper West, Western, and Volta (See Figure 1 below). These regions are further sub-divided into 170 districts; each headed by an administrative district capital in order to ensure equitable resource distribution, efficiency in resource management and effectiveness in administration at the grassroots level.

Ghana currently has an estimated total population of 24,658,823 (GSS, 2010). The country is considered to have a young population with children and young people constituting about 48.9% of the total population (GSS, 2010).



Figure 1: Map of Ghana - Source: <http://mapsof.net/ghana>

2.3 The northern region

The northern region occupies about 70,384 square kilometres and accounts for about 29.5% of the total land area of Ghana (GSS, 2008). It is the largest of the ten regions and is bordered by the Upper East and the Upper West Regions to the north, the Brong Ahafo and the Volta Regions to the south, Togo to the east and Ivory Coast to the west (Mahama, 2009). The region is sub-divided into 26 districts; normatively as a constitutional requirement but more importantly as a way to decentralise governance and the management of resources (See Figure 2 below).

Geographically, the land is low lying except in the north-eastern corner with the Gambaga escarpment and along the western corridor. The northern region has both the Black and White Volta Rivers, as well as Rivers Daka and Nasia. Climatically, the northern region is relatively drier compared to most other regions except the Upper East and Upper West regions. The northern region has a mono-rainy season that starts from May-October annually. This region registers an annual rain fall of between 750-1050 mm. The dry season also spreads between November-April. The maximum temperatures occur towards the end of March-April every year.

Demographically, the northern region is sparsely populated except the Tamale district which is the regional capital. The region currently has an estimated population of 2,479,461, representing 10.1% of the total population of Ghana; the fourth largest in the country (GSS, 2010). In general, the northern region also has a youthful population (that is young children under 18 years) about 29.4% of which are resident in the Tamale district (GSS, 2010).

The ethnic composition in terms of population within the northern region include: the Mole-Dagomba (62.2%), the Gurma (21.8%), the Akan and the Guan (8.7%) and 7.3% of other minority groups (GSS, 2010). The Dagomba are the largest among the Mole-Dagomba and are the majority ethnic group in the northern region. The Dagomba speak Dagbani which is widely spoken in at least half of the 26 districts in the region. The districts in which the Dagomba occupy are referred to as 'Dagbon' traditionally. Dagbon in terms of administrative boundaries occupies a third of the 26 district capitals of northern Ghana.

Religiously, Islamic religion is the dominant faith in the northern region. According to GSS (2010), about 56.1% of the Dagomba acknowledged Islam as their religion, 21.3% professed traditional African religions, 19.3% are Christians and about 3.3% are engaged in other religious activities. Depending on the population size, places are classified as rural or urban with urban places generally offering greater economic opportunities.

The disposition of the northern region makes it most suitable for my research project because it appears to me as an emerging region where traditional Ghanaian culture is still displayed and yet many of these cultures are undergoing enormous changes in the face of rapid geo-political and socio-economic changes within the region specifically and Ghana at large.

In terms of investment and development, the northern region is one of the less developed over the years both in infrastructure and services (Hashim, 2004). The level of underdevelopment and inadequate investment is historic and can be traced to the colonial era when the British implemented a policy aimed at deliberately keeping the northern region underdeveloped in order to promote its role as a labour reserve for the supply of cheap labour to mining and cocoa growing areas in southern Ghana (Hashim, 2004; Whitehead, 1996). Children and young people in the northern region are encouraged and expected to contribute to the family subsistence from a very young age. From ages 5-6, children help with household chores such as washing of bowls, looking after their younger siblings and being asked to run errands. Children gradually participate in activities that adults engage in, although to a limited degree both in terms of ability and time between ages 7-13. By age 14, children are able to independently carry out most of those activities that are expected to be done by adults of their gender – for instance, farming for boys and selling at the common market for girls.

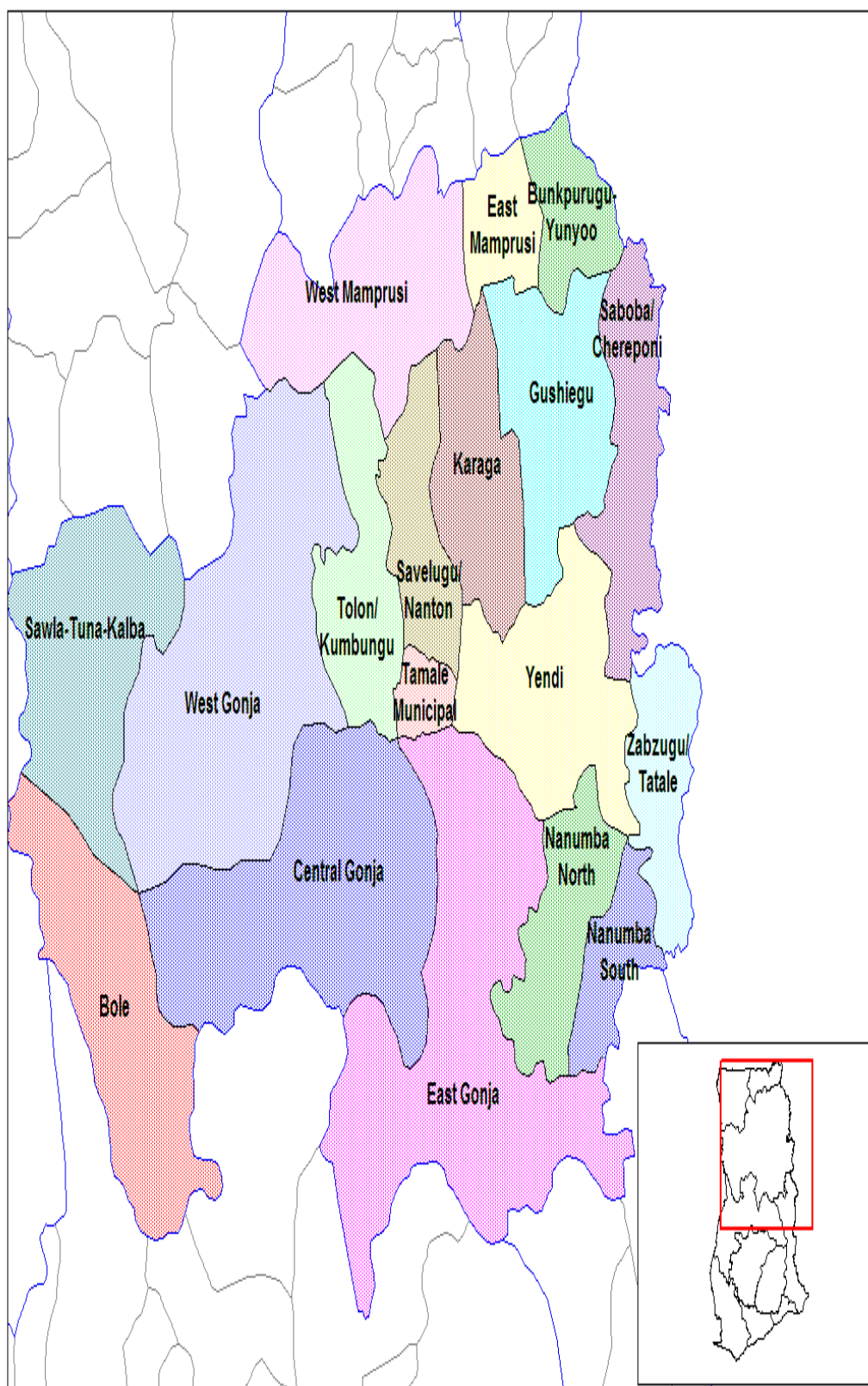


Figure 2: Map of Northern Region - Source: <http://mapsof.net/ghana>

2.4 Tamale

Tamale (pronounced Tamali) is one of the 26 districts in the northern region. It became a Metropolis in 2004 and is currently one of the six Metropolitan Assemblies in Ghana. It is also the seat of the Northern Regional Minister. Geographically, Tamale is located 600 km north of Accra in the central part of the northern region. The city is bordered by Savelugu-Nanton to the north, Yendi to the east, Tolon-Kumbungu to the west, Central Gonja to the south west and East Gonja to the south. The Metropolis is positioned between latitudes 9.16-9.34 degrees north, longitudes 00.36-00.57 degrees and about 180 metres above sea level. Tamale's landscape is largely undulating with shallow valleys and isolated hills (ghanadistricts.com). The Metropolis experiences one rainy season influenced by the moist South-Westerly winds from April-September and/or October. The peak of the rainy season is often between July-August and the mean annual rainfall is 1100 mm. The dry season which is influenced by the dry North-Easterly winds starts from November-April each year. It is popularly known as the Harmattan. Tamale records a day mean temperatures of about 28-43 degrees Celsius between December-Mid-April; and a night mean temperatures of about 18-25 degrees Celsius from December-March.

Demographically, Tamale has a population of 537,986 according to the 2010 census (GSS, 2010). The Metropolis is adjudged the fastest growing city in West Africa. The city consists of a blend of traditional and modern buildings in terms of its architecture. Religiously, the larger population of Tamale profess as moderate Muslims. This is manifested by the numbers of Mosques in and around the city. Traditionally, Tamale is located within the boundaries of the Dagbon.

2.5 The Dagomba: History, culture and family system

Literature on ethnic groups in Northern Ghana is extremely scarce. This is due to the fact that traditionally, the history of the people is passed on orally from one generation to another. This section explores the history, culture and family system of the Dagomba. In particular, it discusses the social, economic and legal context of Dagomba family life with particular attention to: changes that may be occurring; defining features of the local economy – urban and rural; relationships between the region and other parts of the country; the role of religion,

in particular, that of Islam; and legislative and policy contexts. The section also explores the dominant features of Dagomba family structure and practices with particular attention to: gender division; polygamy; discipline and punishment of children; expectations around child labour, inside and outside of the home; and power relations within age hierarchies.

2.5.1 Family structure

The concept of family to the Dagomba includes all close and distant family members and relatives (Kuyini, 2009). The concept of family is referred to as *dogim* or *dang* in Dagbani. Very often the former term (*dogim*) refers to the immediate family, while the latter term (*dang*) refers to the wider or extended family. The word *dogim*, however, is noticeably different from the modern-day ‘Minority World’ concept of the nuclear family, which includes father, mother and children. *Dogim* refers to a much larger family, including a man, his wives, children, brothers, sisters, father, mother, grandfather and grandmother. *Dang* on the other hand includes all persons within a person’s *dogim* and all other blood relations from great-grandparents to great-grandchildren. A Dagomba has *bayili dogim* (paternal family) and *mayili dogim* (maternal family). The head of the family is called *dogirikpema*. This refers both to the head of the immediate family and the head of the extended family. Because it is a patriarchal society, the *dogirikpema* is usually the oldest male in the first generation alive in the family. Due to polygamy and the fact that men marry into their 70s and may have children, it is not uncommon for families to have heads that are younger than ‘sons’ or even ‘grandsons’ (Mahama, 2004). When a woman is the oldest person in the first generation, she is accorded great respect and given the privileges accorded the *dogirikpema*. But she will not be the *dogirikpema*. The man in the same generation who is next to her in age becomes the *dogirikpema*. The *tendamba* provide an exception to this rule because among the *tendamba* the oldest person in the first generation automatically becomes the *dogirikpema*. The *tendamba* constitute one of the main three groups of the Dagomba people. The other two are the royals or *nabihi* and the commoners or *tarimba*. The *tendamba* are traditional custodians of Dagomba lands (Mahama, 2004).

The headship of the family (*dogirikpamli*) carries with it many responsibilities including the special responsibility of keeping the families’ shrines and making sacrifices to the shrines. Whereas among the other groups a woman cannot become a keeper of family shrines, she

may do so within the estate of the *tendamba*. She can also make sacrifices to the shrines and become a priestess. Besides keeping and making of sacrifices to the family shrine, the responsibilities of the *dogirikpema* include: presiding over family meetings; sanctioning marriages of female family members; settling family disputes; performing funerals of family members; supervising the sale of family properties; and appointing successors of deceased family members (Mahama, 2004; Oppong, 1973).

2.5.2 Marriage and children

Marriage is a valued institution among the Dagomba society. An unmarried man is contemptuously regarded as a 'child', as captured in the Dagomba saying that, *dakoli nyela bia*. This means that a bachelor is always a child. Although marriage is highly valued, paradoxically, one of the less costly ventures in Dagbon is the acquisition of a wife (Mahama, 2004). Every poor man, once he is responsible, can have a wife. For example, there is a Dagomba saying that poverty does not deny a man a wife – *fara ku mong paha*. Traditionally, huge dowries are not known among the Dagomba, as they are in some ethnic groups in Africa. In Dagbon, a man can be given a wife as a result of his rendering of a small social service to an elderly man or woman. A man can also be offered a wife by being respectful to older people in society. When an elderly man or woman recognises this act of respect, then the man can earn a wife (Mahama, 2004). Certain communities especially in rural areas still, observe such traditional means of getting married today.

Dagomba marriage is polygamous. A man may marry as many women as he pleases. However, social norms put some barriers on some people's wish for many wives. It is only the Chiefs that Dagomba culture gives encouragement to marry many wives. However the ordinary Dagomba man may have two to five wives. For the Muslim Community in Dagbon, it is not only sanctions of social norms that act as barriers to the acquisition of many wives, Islamic law requires every Muslim to have no more than four wives at any given time.

There are three methods by which a man may marry. One, the parents of a girl may give her in marriage to a man without any prior relationship between the man and the girl. By this method a marriage may be arranged by the parents when both the children are quite young. The arrangement may be made known to them when they are of age. This is known as *paha-*

pini (woman given in marriage). Two, a man and a woman may have a love relationship and the man 'takes the woman' and then seeks the formal consent of the woman's parents. This is known as *paha kpuhibu*. Three, is a special one applicable only to the *Ya-Na* and other very important chiefs. Special emissaries of the Chief are sometimes sent to the market or some social gathering to look for unmarried girls and 'arrest' them for the chief to marry. Once an unmarried girl is 'arrested', unless there is a strong customary reason against a marriage, she will become the chief's wife (Mahama, 2004).

The Dagomba customs and culture encourage men to have many wives and children because this enhances his social image. The economy of Dagbon is based largely on agriculture and women and children play a very important role in the planting and harvesting of crops. The more wives and children, the greater a man's economic prospects. This desire to have economic power in Dagbon may underlie and legitimise the practice of polygamy. Although monogamy is not despised among the Dagomba, a monogamist is regarded as a man under his wife's control – a serious charge that can cost them a leadership role in the community (Mahama, 2004).

The Dagomba have a purist concept of marriage and more so of children. It is believed that a married woman who is a 'flirt' brings misfortune not only to her husband but to the entire household (Mahama, 2004). Members of the household, therefore, regard themselves as vigilantes for the chastity of every married woman in the house. The purity of a child is considered to be even more sacrosanct. The child must belong to the man by 'blood'. Dagomba believe that a child who does not belong to a man by 'blood' but by marriage will cause confusion in the family and break it up when the child grows up and attains the position of a principal member of the family.

Men are responsible for all of their biological children, born in or out of wedlock. The important thing is the determination of a child's paternity. The biological father is always the father of a child. A man will not accept a child born by his wife once he is aware that the child is the product of an adulterous relationship between his wife and another man. He may sue the other man and obtain damages but the child remains the child of the adulterer. A man may give his child to his wife's family to look after. Such a child however does not cease to be a member of his or her biological father's family. The child may benefit from the mother's family but the child remains a member of the father's family. As to the custody of children,

Dagomba customary law is very clear. The father, or in his absence the patrilineal family, has the right to the custody of a child. A mother has no right to the custody of her child when she ceases to be the wife of her husband. The exception is that custom will allow a mother to have custody of a child when the child is still being breastfed. The age of five is usually the time when the child is considered old enough to be given out to the father or any of the father's relatives. A man's right to the custody of his child is not only given by marriage but also by the fact of the child's paternity. Once it is established that a man is the biological father of a child, he is entitled to custody.

The child is a very important asset for a Dagomba family. Every married couple strives to have as many children as possible. A marriage that does not produce children risks dissolution. In fact a childless marriage subjects a couple to ridicule. A marriage at risk of dissolution on grounds other than infertility may be saved by the timely arrival of a child. The number one purpose of marriage to a Dagomba is begetting children.

Traditionally, the fostering of children is a common practice amongst the Dagomba. While children are normally fostered to relatives and family friends, princes and princesses are usually fostered to a special class of people referred to as *Namogla* and *Worizohenema*. The *Namogla* and *Worizohenema* are the Chief's councilors who are entrusted with the responsibility of looking after princes and princesses. They are thought of highly by the society because they are considered to know the culture of the Dagomba well. It is also thought that heirs to thrones should be raised outside the biological family home so that they will not grow up with a false sense of their own importance and superiority as aristocrats. It is also to imbue in them cherished Dagomba values such as respect, obedience and diligence (Mahama, 2004; Oppong, 1973).

Children are trained on how to respond to adults' calls, how to receive gifts, eat, urinate and how to sit, with certain differences between boys and girls. For instance, boys are taught to answer *naab* to calls and girls *naaa* – both meaning 'yes'. Both boys and girls are socialised to give and/or receive gifts either with the right hand or both hands and that it is disrespectful to give and/or receive gifts with the left hand. Both boys and girls are socialised to bend down to greet an elderly person. These are considered the rudiments of the Dagomba child socialisation process.

As the child grows, the child is introduced to other lessons such as: bravery, smartness, respect, honesty and obedience. Children are disciplined at very young ages through the use of the cane. The cane is always used when a child appears to be disobedient and/or non-compliant to the much cherished values, such as honesty and hardwork, that their parents might have socialised them from birth (Mahama, 2004). The socialisation of Dagomba children is the responsibility of the community and not just the parent. There is a power relation within age hierarchies among the Dagomba. For instance, even among children born on the same day the child born an hour or minutes ahead of another is considered older. Ironically in the case of twins, the child born first is considered the younger. The narrative is that the second one might have sent the first to assess the situation on earth before his/her arrival. One is not supposed to talk back to an older person under any circumstance. Children are socialised only to respond to questions. It is considered disrespectful to talk back to an older person. Children are introduced to relatively physically demanding tasks such as sweeping the compound (girls) and outside the house (boys). Girls also learn how to fetch water and firewood and boys are taken to the farm or hunting, depending on the father's profession. For pleasure and physical fitness, boys are taught swimming, archery, wrestling and horse riding.

The learning of certain important cultural skills is not so explicit (Mahama, 2004). A child is left to acquire them on his or her own through observation or association. These include dancing, games and story telling. Story telling forms a significant part of a child's learning and is primarily done in the evenings after supper. Adults sit with children in the yard to narrate these stories. Every Dagomba story has a lesson and children are expected to say what lesson they have learnt at the end. These moral lessons are intended to impact on Dagomba children's knowledge and wisdom.

2.5.3 Religion

The traditional Dagomba society, uninfluenced by Islam or Christianity, had a concept of God or *Naawuni*. God is assumed to be up in the heavens and has a number of attributes. He is the owner of power (*Kpeon-Lana*); he is the owner of great kingship (*Natitam-Lana*); he has authority (*Yiko-Lana*); and he owns the heavens and earth (*Zugu saa ni ting-Lana*). Islam is now the dominant religion among the Dagomba today. It was introduced to Dagbon by the

Wangara - Muslim traders from neighbouring countries. The effort of the Wangara was in later years complimented by the Hausa – Muslim traders from Nigeria. Christianity has made little progress in Dagbon because it is scornfully perceived as European and a Dagomba bearing a Christian name is looked down upon by their neighbours. Most Dagomba therefore bear Muslim names, including those who do not practice Islam. Both Christianity and Islam have influenced the way Dagomba marry. For instance, most Dagomba Christian men practice monogamy whereas Islam permits polygamy (but limits the number of wives a man can marry to four). The religion one practices can therefore have a bearing on the number of children one has, and subsequently the number of children one fosters in and/or out.

2.5.4 Local economy

There have been disproportionately few investment projects in the northern region since independence. The local economy of Dagbon is mainly based on agriculture and Dagomba men are mostly farmers. Women and children too play a significant role in the planting and harvesting of crops. Many children and young people are fostered from rural to urban areas where there are opportunities for education and non-agricultural jobs.

2.5.5 Urban and rural Dagbon

Although the north is less urbanised compared to the south of the country, inequality between the urban and rural communities in Dagbon remains significant (Songsore, 2003a). Inequality is manifested in areas such as class, occupation, education and (dis) respect for human rights and gender stereotypes (Appiah-Kubi, 2003). There are better educational facilities, better job prospects and higher income levels in the urban areas compared to the rural ones. Whilst the urban centres in the north are the equal of their southern counterparts, it is the northern rural areas that remain particularly disadvantaged (Songsore, 2003b). Rural communities in northern Ghana still lack clean drinking water, good roads and electricity (Songsore, 2003a; Songsore, 2003b). Such communities however still maintain most of their traditional culture because they are not very exposed to other cultures. The disparity in terms of development and availability of social amenities between urban and rural Dagbon also encourages the fostering of children and young people from the latter to the former.

2.5.6 Relationship between the region and other parts of the country

The origins of the existing inequality and the long history of skewed relations between the North and the South lie in a number of factors including: (a) geography; (b) the pre-colonial relationships between kingdoms and tribes; (c) the colonial dispensation that ensured that northern Ghana was a labour reserve for the southern mines and forest economy; and (d) the post-colonial failure to break this established pattern (Songsore, 2003a; Songsore, 2003b). This section discusses the relationship between the northern region and other parts of the country highlighting the significance of the above mentioned factors.

The geography of northern Ghana is identified as one of the key factors that distinguish the region from other parts of the country (See Section 2.3 above). But geography would not be significant by itself because, a neighbouring country such as Burkina Faso's endowments are not any better than northern Ghana. Yet, Burkina Faso unlike Ghana, has put in place institutions and infrastructure that have allowed its people to make better use of the endowments that are there.

The pre-colonial relationships between the Ashanti kingdom and northern ethnic groups established a hierarchy of dominance that still exists today, and that differentiates not only Akan (South) and Mole-Dagbani (North), but also, within the north, the kingdoms from the acephalous (Kingless) ethnic groups. The suspicion and perceptions that northerners have had of southerners have their roots in pre-colonial relationships during which the southerners, particularly Ashantis, were seen as 'black imperialists' who exploited the northern region through the slave trade (Songsore, 2003a).

North-South relations were later exacerbated by colonial policies that explicitly considered the North as a labour reserve during the colonial era (Saaka, 2002). According to Kimble (1963) there was a deliberate policy of 'neglect', 'isolation' or 'indifference' in Northern Ghana by the British which ensured that the region remained a 'labour reserve' for the colony. The colonial policy for the North affirmed its subordinate economic and political position (Kimble, 1963). The consequences of this are: the substantial gap between the North and the South in terms of human development; the lack of investment opportunities in the North; and

the gap in terms of regional incomes. The Northern region also remains massively disadvantaged in terms of health and medical services.

After independence, successive governments have tried to bridge the gap between the North and the South through legislations and policies. For instance the North was perceived as ‘the bread basket’ of the nation in the early 1980s and became a focus for development aid and international NGOs. The government relied substantially on aid to bridge the gap between North and South but given the limitations of aid this was not a viable strategy. Subsequent policies include the Ghana Poverty Reduction Strategy (GPRS) that recognised regional inequality and initially built in some mechanisms to benefit the North disproportionately (Aryeetey and Abbey, 2004). The 1992 Constitution and other regulations governing multiparty politics as well as conventions in Ghanaian politics also attempt to promote representation. For instance, Article 55(4) (7) of the Constitution of Ghana mandates political parties to have an office in every district of the country and their founding members must include individuals from all regions of the country (Government of Ghana (GoG), 1992). The law governing political representation also explicitly prohibits the formation of ethno-regional parties and requires that national executives of political parties reflect the ethnic diversity of the country. The next section explores Ghana’s legislative and policy context for children and young people since independence.

2.5.7 Legislative and policy context

Neither the history of Ghanaian legislation nor policy regarding children and young people can be fully explained except by reference to English law from which it developed and to which it is, to some extent, still tied. This is not to suggest that legislation and policy in Ghana does not have a life of its own. It does, but in common with other ex-colonial countries, it is part of one legal family and, to some extent, one legal culture (Rubin and Murray, 1962).

Ghana inherited the common law legal system that developed in Britain from the time of the Norman Conquest and spread widely over the world in the following centuries, usually as a result of colonisation (Smith, 2013). As a former colony of Britain, Ghana’s legal system is based on the English common and customary laws. Similar to Britain, Ghana classifies

primary legislation as Acts of Parliament (Smith, 2013). These Acts exist first as Bills before they are debated in Parliament and subsequently passed into law (GoG, 1992). In order to function effectively, children and young people's issues need an appropriate legislative and policy framework in Ghana because legislation and policy provide guidelines and limits for the conduct of individuals, institutions or organisations, as well as penalties for failure to follow them.

The main legislative and policy frameworks regarding children and young people in Ghana since independence include: (a). The Maintenance of Children Decree, 1977; (b). The Intestate Succession Law, 1985; (c). The 1992 Constitution of Ghana; and (d). The Children Act, 1998. Except the latter which provides specific sections that addresses the issue of child fostering, all the earlier legislation did not specifically cover issues relating to the practice. The earlier legislation however laid the foundation for subsequent legislation on matters affecting the lives of children and young people including child fostering. These pieces of legislations are discussed further in detail in Chapter 8 of the thesis.

Other pieces of legislation and policy that govern specific aspects of children and young people lives in Ghana include the Ghana Orphans and Vulnerable Children (OVC), and the Early Childhood Care and Development (ECCD). The specificity of these subsidiary legislations, again, distinctly aligns them with a special group of children and young people that might include foster children although specific references are not made to fostering in these policy documents.

2.6 Chapter conclusion

Children hold a very special place in the Dagomba family. The Dagomba believe that children are a gift from God. They also think it is the duty of all family members to help raise children in the family (Mahama, 2004). Considering the importance of children in the Dagomba family, children are often shared through fostering to other family members and relatives to raise them as part of their own family. Depending on the reasons and individuals involved in a particular fostering, such placements are either temporary or permanent and child fostering decisions are usually reached through family consultations. This can either be within a family or between families. This research explores the Dagomba child fostering and

how that helps in interpreting the best interests of the child under the international children's rights framework.

The chapter provides a brief overview of the research context and the respondents. As a nation Ghana has progressively evolved from colonialism and thrives as one of the examples of democratic states in the world today. Unlike its colonial past, today Ghana prides itself on the diversity of its people. Whereas before, the northern region and the Dagomba were looked down upon, now they form an integral part of the past, present and future of Ghana.

PART TWO

Chapter 3 Literature

3.1 Introduction

The practice of fostering children is connected to how concepts such as childhood and children are understood in society. The fostering of children and young people is also recognised under most domestic laws including that of Ghana and depending on the context the practice is either regulated under the law or not. In contexts where child fostering is regulated, the practice is seen as a child welfare and/ child protection issue that requires state intervention. On the other hand, in contexts where child fostering remains unregulated under the law, it is practice based on the socio-cultural and traditional rules of the people. From a rights perspective, foster children are expected to be looked after just like the birth children of foster parents so as to offer them an opportunity to grow and develop into healthy and productive adults as underlined by the UNCRC (Article 25). There is also current international social work on alternative care including child fostering. Besides a rights dimension, child fostering also has implications, nationally, in fields including the education of children and young people, child labour and child migration, and internationally in sectors such as child trafficking.

This chapter provides a literature review on childhood, child fostering, child migration and the best interests of the child principle. The chapter is written under three main sections and explores the concept of childhood and children in section one. Understanding these concepts is important to this research because the Dagomba foster mainly children. In section two, the literature on the practice of fostering children is explored, highlighting the differences between fostering in the ‘Minority’ and ‘Majority’ Worlds. The section also elaborates the role child fostering plays in the lives of children in SSA and offers the strengths, weaknesses and limitations of the practice in terms of what is known in relation to outcomes for children. The third and final section looks at the concept of the best interests of the child; its evolution, meanings, domains of operation as well as merits and demerits. Collectively, the reviewed literature in this chapter will be used to help analyse the empirical data based on which justifiable conclusions can be made.

3.2 Exploring childhood

Central to understanding the new sociological approach to childhood is the idea that the reality of children's lived experiences need to be explored and understood in relation to the meanings they attach to these lived experiences thus seeing them as capable individuals, independent of anything else (Heptinstall, Bhopal and Brannen, 2001). Similarly, James and Prout (1990) have emphasised the importance of children's active participation in the construction and interpretation of their own social lives and that of those around them (James and Prout, 1990). The above are contested assumptions in the childhood studies literature that need further interrogation. A fuller understanding of the way childhood is conceptualised in different contexts will help in a better appreciation of how and why they are fostered and how the practice relates to their best interests. This section reviews the literature on the theories of childhood.

3.2.1 Childhood in international context

The social construction of childhood is widely believed to have originated from the works of the French historian, Philippe Aries (Pole, Mizen and Bolton, 1999). According to Aries (1962), Western European societies, particularly during the Middle Ages (between 5th-15th Centuries), saw children as miniature adults with the same thinking capacities and physical attributes, though, they differed in their size and physical abilities – for example, strength. Aries also argued that childhood is an invention and a relatively recent one (1962). The study of children as a distinct social group however became popular in the 1980s with work by Pollock (1983) and Alanen (1992). This has since generated much interest in the field resulting in claims and counter claims about childhood and childhood histories because the concept of childhood and children means different things to different people in different social, cultural and historical settings (Cree, Kay and Tisdall, 2002).

The conceptions of childhood and children also vary between different communities, cultures and societies (Hill and Tisdall, 1997), and understandings of what or who a child or childhood are not been fixed but have changed over historical time and place. In the UK for instance, the law on when childhood ends and adulthood starts depends on when and where one was born. Many other cultures and countries across the world have their own laws stating when childhood ends. Understanding these differences is important because it helps guide

and shape our world view about children and childhood as well as children's experiences across cultures and even within the same cultural milieu (Boyden, 1990; Morrow, 2003). Class, ethnicity, gender, ability and age, family background, position in family, educational status, religious practices and traditional customs have been identified in the childhood literature as key factors that shape children's experiences during childhood (Morrow, 2003; Bourdillon, 2000; James and Prout, 1990). The influence of these factors however also depends on the context, place and time.

By definition, childhood is commonly seen as a period between birth and the age when a child becomes fully matured and able to fend for him or herself (Liebel, 2004). Under Article 1 of the UNCRC, childhood is also defined as the period from birth to the age of 18, unless the laws of a particular country set the legal age for adulthood younger. While the latter definition is age-based, the former is based on other parameters but age, such as the physical size and development of the child.

On a more general note, Bourdillon defines childhood as a 'transitory stage of development in the human life cycle' that ranges from a state of total disability and dependence of infants to the level of independence at adulthood and notes that children gradually acquire competencies as they grow and interact with others (Bourdillon, 2000: 20). This definition appears closer to the conceptualisation of childhood among the Dagomba where childhood is indeed understood as a transitory phase of development in the human life informed by parameters such as chronological age, physical size and development, gender and class (Leonard, 2005; Myers and Boyden, 1998).

Childhood may also be seen as a separate stage in the life cycle of every human when children should be '...detached completely' from work (Stephens, 1995: 7) and allowed to live a happy, safe and protected life indulging in play, fantasy and innocence (Boyden, 1990: 185). But much recent writings on children work and child labour disputes this notion, particularly in the 'Majority World' countries. This view is also criticised on the grounds that such a notion of childhood does not translate into the realities of children's lives and experiences (Cree, 2000). The critics also argue that children have a variety of abilities and competencies and are not merely passive receivers of life and culture (Hill and Tisdall, 1997; Woodhead, 1999). Woodhead (1999) further argues that children belong to the same world of economics and politics as adults; they can negotiate relationships, make decisions and can

influence situations in which they live and grow as active agents. Another critique is against the temptation of defining children based on physical age because such definitions can be unsuitable and may not be applicable in every society across cultures (Woodhead and Montgomery, 2003). Finally regarding an age-based definition of children and childhood, it has been argued, although it may serve legal purposes, that such definitions should only be taken as a 'rough guide' which should not dictate children's behaviour and relationships in society (Bourdillon, 2000: 18).

As childhood is constructed and defined by each society in relation to an identifiable set of beliefs, norms, values, attitudes, meanings and practices (Stephens, 1995: 8), opinions about the beginning and end of childhood also vary across cultures and societies (Morrow, 2003; Bourdillon, 2000). In many societies, adulthood begins when boys and girls gain the rights to participate in certain religious or cultural rites of passage. In these societies, rites may be carried out to signify the transition from childhood to adulthood (Morrow, 2003). In other societies, childhood ends when children begin to develop certain physical characteristics, such as a deep voice for boys, breasts or menstruation for girls, or when children develop certain 'secondary sexual characteristics' (Rogers, 2003: 10). Some societies also associate adulthood with the time when children attain legal status and are bestowed with certain rights such as the right to vote, drive or own a driving license, drink alcohol, smoke, marry or when they are entitled to receive certain welfare benefits, as in the UK and many other 'Minority World' societies (Morrow, 2003).

Rogers (2003) has also proposed three broad approaches of studying and conceptualising children and childhood: the scientific, the social constructionist and the applied. These three broad approaches provide different yet unique ways children and childhood can be understood. The following section provides a brief summary of Rogers' approaches beginning with the scientific approach.

According to Rogers (2003), the scientific approach, on the one hand, uses devised theories on children and childhood and tests them by experimentation and observation. The social constructionist approach on the other hand sees children and childhood as a product of different world views. Finally, Rogers explains the applied approach as something used by organizations, institutions and child welfare practitioners that which is concerned with how children should be treated and the nature of their needs, rights and obligations.

It thus appears that each of the three broad approaches has a wide range of perspectives and focuses on different issues about children and childhoods. However, the three are also inter-related and not mutually exclusive. The overall theoretical understanding informing this standpoint is that which emphasises the social constructionist approach. The social constructionist standpoint holds that firstly the idea that perceptions and understandings of phenomena vary between cultures and across nations (Bourdillon, 2000; Woodhead, 1999); and secondly that experiences of childhood are fluid and diverse and change over time and space and according to differences in people's social and economic contexts (Punch, 2002; Morrow, 2003). The social constructionist approach emphasises who is defining the issues, where and at what point in history, and not a matter of one generation or society being right or wrong. It emphasises that both perceptions and understandings necessarily differ from culture to culture as well as from one point in history to another (Woodhead and Montgomery, 2007). The approach therefore recognises and highlights the diverse ways that childhood is constructed based on different experiences, situations and circumstances.

But most importantly, social constructionism, more radically, challenges the status of scientific knowledge itself, as a particular way of understanding childhood (Qvortup, 1994). This approach asserts that people live in a socially constructed world and that this shapes understandings of childhood. This implies that the only certainty in the world is that the world of things and people can be constructed in many alternative ways. Another point emphasised by social constructionism is that children and childhood are not truths of nature but social constructions (Qvortup, 1994). This means that the images of children and childhood are defined by particular groups, cultures or societies - another facet of social constructionism.

Montgomery, building on the works of James, Jenks and Prout (1998), presents yet another approach to understanding children and childhood that sees different ideas about them as products of different world views (Woodhead and Montgomery, 2007). According to this approach, two very different images of the child have been especially powerful throughout history - inherently 'innocent and wholesome' by Rousseau or inherently 'wicked and sinful' by Hobbes. Each again leads to a particular discourse of children and childhood.

The ‘innocent and wholesome’ perspective assumes that children are inherently good (Woodhead and Montgomery, 2003). This perspective therefore attempts an explanation of good and bad behaviour in children: good behaviour being innate but bad behaviour emanating from either the lack of understanding or in response to neglect or abuse to which they have been subjected (Woodhead and Montgomery, 2003:62-67). This perspective also draws upon a wider discourse of childhood, which assumes that the period of childhood is one when children are cared for and offered protection from harm by adults – a period of happiness and innocence (Woodhead and Montgomery, 2003). This conception of children and childhood is also known as the Romantic discourse of childhood.

The ‘wicked and sinful’ viewpoint, on the other hand, is woven around the narrative of ‘original sin’. The perspective seems to be based on the assumption that children inherently lack morality as a result of their absence of capacity in understanding and therefore need to be civilized and be taught what is right from wrong by adults (Woodhead and Montgomery, 2003:62-67). This approach or notion of children and childhood is also sometimes labelled the Puritan discourse of childhood.

The above explores the literature on children and childhood in the international context. It highlights the history and various ways children and childhood have been conceptualised and understood internationally. The section also demonstrates that depending on which particular discourse of children and childhood that one adopts, there are very different ways of thinking about and treating children. This makes an imposition of a universal model of childhood inappropriate. The next section narrows the discussion by getting closer to the research context. It focuses on childhood in the ‘Majority World’ context.

3.2.2 Childhood in the ‘Majority World’ context

Woodhead and Montgomery (2007) have identified social, cultural and historical contexts as factors that influence conceptions of children and childhood across cultures and over time. Punch (2002) also points out that the way in which society perceives children and childhood affects society’s treatment of them. For instance, while some perceive children as vulnerable and incompetent (Stephens, 1995), others portray them as capable, active agents (Hill and Tisdall, 1997; James et al., 1998, Woodhead, 1999; Qvortrup, 1994; James and Prout, 1990).

Over the years, there is evidence by way of research to demonstrate that in many societies in the 'Majority World', the movement from childhood to adulthood is not a distinct single event, but rather, a gradual process that happens over a period of time (Morrow, 2003), and at different rates (Bourdillon, 2000). Morrow (2003) and Bourdillon (2000) explain this change as a transition from one state and experience to another which is not fixed or determined by chronological age, as the UNCRC and regional as well as national legislations suggest. Many factors such as religion, culture, modernisation, disease and recent rapid socio-economic developments in the 'Majority World' seem to affect the conception of children and childhood in such societies (Bourdillon, 2000; Morrow, 2003).

In Ghana, the official national criteria for defining children and childhood follow the legal age-based definition, as in most industrialized societies, but this varies across cultures within the country. Morrow (2003) supports having some sort of a benchmark or agreement over a time limit to childhood (as the UNCRC, regional and national legislations have given upper limits of 18 years), but also cautions that this cannot be applied uniformly in all societies and cultures because children's and young peoples' experiences, abilities, roles, activities, developmental progress and expectations differ very widely from place to place and from time to time. Similarly, Montgomery (2003: 46) agrees that experiences of childhoods change in the same way as societies and cultures and these are, in turn, dependent on individual experiences and beliefs and the culture into which a child is born. According to her, childhood is a 'product of particular times, places and culture'.

This section of the research follows Morrow's (2003) suggestion that chronological age is not and should not be the key marker of identifying age because in most rural societies in Ghana and many other countries in the 'Majority World', most people do not know their exact age. Children's age and their experiences of childhood are rather traditionally defined by a gradual assumption of responsibilities (Morrow, 2003). As children's maturity, age and capacities differ, so do society's perceptions of their roles and expectations. For instance, in most societies in Ghana, the end of childhood is marked by the performance of certain rites of passage signifying a stage of maturity. But critics have argued that though such ritual transitions may determine the way in which people in that society are perceived and expected to behave, they do not necessarily affect people's actual level of maturity, responsibility and behaviour towards others (Bourdillon, 2000).

My personal observations and experience growing up in the northern part of Ghana corroborate Morrow's claim that assumption of responsibilities, not chronological age, is the key marker in defining children and childhood. For instance, in some communities among the Dagomba, teenage boys and girls automatically cease to be regarded as children when they become married. Their marital status automatically admits them into the community and/or family meetings and town associations as full-fledged adult members. They attend and vote at these meetings, express their opinions and make financial contributions as other respectable adult members. They are also seen as responsible, valuable members of the community and accorded all the benefits and communal support extended to older members, unlike their unmarried peers of the same age, or even older. In such communities, the end of childhood could be said to be purely based on marital status – a symbol of maturity and responsibility.

In other instances, men and women who have their parents alive are still regarded as children regardless of their chronological age. Such men and women may even be married with children. Therefore, neither marital status nor age per se determines when childhood ends and when adulthood sets in among the Dagomba. In other societies too, children are not regarded as full members and may not be given a share in communal lands and/or family investments (Mahama, 2004). Or their share may be disproportionate compared to adults. Therefore, childhood remains seen as a period of dependency, immaturity and less competence in most societies in the 'Majority World'. These traditional perceptions, practices and beliefs about children and childhoods are however gradually fading out and no longer appear to be applicable generally in all communities.

Nonetheless, it is important to establish these understandings about children and childhood because it is such understandings that ultimately determine how children are fostered in most 'Majority World' countries. The next section explores the literature on child fostering.

3.3 Child fostering in the international context

Although child fostering is reported to be common in SSA, the practice is seen as a global phenomenon practiced among many societies around the world: (Greeff, 1999) in Britain; (Stelmaszuk, 1999) in Poland; (Portengen and van der Neut, 1999) in the Netherlands; (Merchand, 1999) in Belgium; (Williams, 1999) in the USA; (Pemberton, 1999) in Ireland;

(Silk, 1987) in Oceania; and (Worrall, 1999) in New Zealand. Across the literature, the common denominator of child fostering across societies is the fact that foster children are raised outside their birth family homes. However, there are significant differences in the conceptualisation and manner of practice between countries in the 'Minority World' and those in the 'Majority World'. Although this research is situated in the latter context, it is important to explore and acknowledge the differences and similarities between the two contexts for two reasons: (a) to inform the different ways in which child fostering is conceptualised across cultures and (b) to identify the similarities and difference in terms of practice. The main aim of the section is therefore to highlight the main features of fostering in the 'Minority World'.

Child fostering in the 'Minority World', is a system of providing children and young people who are not able to live with their birth parents the opportunity to be raised in a more stable family outside their birth family (Greeff, 1999). It is often crisis oriented and need driven – that is the need to provide an ideal and/or most suitable option for children whose birth parents cannot raise them (Greeff, 1999; Kuyini et al., 2009). Although this kind of fostering is observed to have an attached element of stigmatization and the potential of abuse, neglect and/or victimisation of the child by adult(s) (Greeff, 1999; Stelmaszuk, 1999; Portengen and van der Neut, 1999; Merchand, 1999; Williams, 1999; Pemberton, 1999; Silk, 1987; Worrall, 1999), it is perceived to allow children and young people the chance to prosper or survive in an alternative home environment with foster parents that is safe, secure, loving and caring. Many reasons are given for fostering children in the 'Minority World'. The main ones are unhealthy or inadequate home environment of the birth parent including; history of domestic violence and all other forms of abuse. Birth parents may also be in jail, they might be suffering from drug addiction, or mental-health related issues (Greeff, 1999; Stelmaszuk, 1999; Portengen and van der Neut, 1999; Merchand, 1999; Williams, 1999; Pemberton, 1999; Silk, 1987; Worrall, 1999).

Furthermore child fostering is regulated under the law and rarely privately done between individuals or families in the 'Minority World' context (Greeff, 1999). It is usually negotiated with the help of social welfare professionals in conjunction with local authorities and the fostering of children privately is not encouraged. This signifies the important responsibility of the state and its social welfare institutions in the 'Minority World' context. The law also

provides detailed standards of practice and criteria regarding the selection of foster families, and in prescribing the duties and functions of foster families as well as social workers (Scannapieco, Hegar and McAlpine, 1997). To a certain extent such standards and regulations can put impediments or limits on the extent that members of the wider family may provide kinship care (Riley-Behringer and Cage, 2014).

The above departs from the way children are fostered in the 'Majority World', where child fostering is seen as a cultural practice which involves the giving out of children and young people with family relatives and kin, without the involvement of the state and/or welfare workers. The reasons for such placement including the definition of roles, responsibilities and standards of care vary from one context to another. Similarly, the processes for arriving at specific fostering decisions also depend on the time and place (Kuyini et al., 2009). The ensuing section explores the literature on child fostering in SSA with special focus on Ghana.

3.4 Child fostering in Sub-Sahara Africa

The pattern and context of fostering in SSA has been carefully documented by Esther Goody (1973, 1975, 1978, and 1982) and others. Among many societies in SSA, it is suggested that most children are fostered by their grandparents or parents' siblings for a large period of their childhood often into their adulthood (Goody, 1982). Family therefore plays a vital role in the fostering of children and young people in SSA. Goody (1982) and Oppong (1973), for instance, report that family play an even more prescriptive role in the fostering of Gonja and Dagomba children in Ghana respectively, as the normative pattern is for particular children to be fostered to particular family members. For example, among the Gonja and Dagomba of northern Ghana, the second-born son is to be fostered to maternal uncles, and the second-born daughter is to be fostered to paternal aunts (Goody, 1982; Oppong, 1973). Similar normative patterns might exist within other cultures and societies in the sub-region although not reported. The literature also indicates that some children are fostered at birth, while many others are fostered when they are weaned – often between the ages of 5-8 years old (Bledsoe and Brandon, 1992; Goody, 1982; Oppong, 1973). Furthermore, while some children reside in their villages after fostering, many others may have to travel over long distances as a result of fostering (Oppong, 1973).

But children are also sometimes fostered by non-kin in SSA – usually to close family friends under particular circumstances such as when such fostering primarily creates educational, economic, or political opportunities for the foster children (Goody, 1982; Oppong, 1973). There are also generally higher proportion of foster children in the households of political leaders and chiefs (Goody, 1982) – not unlike the 15th century within clan fostering in Scotland (Way and Squire, 1994). In southern Ghana, for instance, Goody (1982:183) notes that there appears to be a general trend to shift from fostering by kin to what she described as ‘analogous arrangements with strangers’ who are capable of providing foster children with either training in contemporary skills or an opportunity to become urbanised.

In SSA fostering, although many rights and responsibilities for children and young people are delegated to foster parents, it is not an expectation on the part of birth parents to out of touch with their children when these children are with their foster parents. As a result, when fostered children remain in the same village, they may see their parents as regularly as possible (Verhoef, 2005); when children are taken over long distances, however, visits to their birth parents may be less frequent (Goody, 1973). Birth parents are generally discouraged from terminating fostering arrangements prematurely without due cause, but they have the right to terminate a fostering arrangement in which fostered children are treated poorly (Goody, 1973). A child's happiness in the foster home appears to influence the birth parents' actions. Among the Dagomba, for instance, if a child runs away from the foster parents once or twice, the birth parents normally persuade them to return. However, if a child runs away for the third time, birth parents terminate the fostering arrangement, claiming that the ancestors do not wish the foster relationship to continue (Goody, 1982; Oppong, 1973). The attribution of responsibility for this action to the ancestors has been interpreted as a way to eliminate the need to apportion blame or guilt to either the birth parents or the foster parents (Goody, 1973).

The foster parents, on the other hand, are chiefly in charge of the feeding, clothing, socializing, and training of foster children although birth parents may be called upon to contribute to the costs of their education and maintenance from time to time, especially when the foster family is not able to provide for these services (Alber, 2005; Martin, 2007; Kuyini et al., 2009). Children also participate actively in the domestic economy of their foster parents' households - girls learn domestic skills and boys are taught to farm or master the specialized trades practiced by their foster parents (Alber, 2010; Goody, 1982). The Sub-

Sahara African fostering system therefore seeks to ensure that there is mutual benefit for all the parties involved in the fostering arrangement including the children. The system also offers some protection to children with inbuilt checks and balances against child abuse and neglect. For instance, other family relatives and the community usually keep an eye on the fostered child and will report to the birth parents if they suspect abuse or neglect. The birth parents are also at liberty to visit the foster family at any time – announced or unannounced – unlike the general practice of fostering in the ‘Minority World’.

According to Serra (2000), child fostering in SSA is likely to occur in both stable families and in unstable ones, among married and single parents, between able and disabled parents, within rural and urban homes, as well as in wealthy and poor homes. The practice is therefore seen largely as an efficient way that Africans raise, train and prepare their children for adult life – rooted firmly in the socio-economic, cultural, and religious world views of the people (Verhoef and Morelli, 2007). For instance, children who are fostered are just as unlikely to be malnourished compared to those living with their biological parents (Verhoef and Morelli, 2007). Fostered children do not also demonstrate any visible signs of stress - psychological or physical (Brown, 1995); and have equal opportunities to education as the children growing up with their birth parents (Zimmerman, 2003). They also have a chance to be in stable relationships, maintain stable marriages and careers when they grow up just as those living with their birth parents (Goody, 1973). Brown (1995) also reports that foster children in Angola may have a slimmer chance of being punished physically compared to children living with their birth parents. Similar studies in other countries also suggest that some fostered children are even likely to experience more psychological freedom and/or feel appreciated compared to children growing up with their birth parents (Castle, 1995; Verhoef and Morelli, 2007). Yet, in some other societies in SSA there are proverbs that refer to the unfavourable status of foster children compared to children living with their birth parents. For instance, the Gusii in Kenya make reference to foster children as, “something most unattractive which clings” in a proverb that says that, “another woman’s child is like cold ‘mucus’” (Castle, 1996; Verhoef and Morelli, 2007). Similarly, the Yoruba in Nigeria also have a proverb which says that, “it is other people’s children that we often ask to return from the late night errands whereas one’s children are often warned not to stay out at night” (Oni, 1995; Verhoef and Morelli, 2007).

The above differences and similarities make child fostering in SSA a rather ambivalent practice that needs further research. It also sets up child fostering generally as a contested field that needs further research. The next section reviews the literature on how child fostering has been defined and the various typologies in SSA.

3.4.1 Definitions and typologies

Child fostering in SSA is largely defined as ‘the relocation or transfer of children from biological or birth families to other families where the children are raised and cared for by foster parents’ (Isiugo-Abanihe, 1985: 53). The practice is also seen as a voluntary transfer of child rearing roles and residence to foster families rather than the birth parents but usually within extended family networks. It is largely rooted in the kinship, social structures and traditions of the people but it is neither temporary nor reversible (Kana, Dessy and Ewoudou, 2010; Serra, 2000). There are basically two main types of fostering according to the literature – kinship and non-kinship fostering. Literally, kinship fostering implies the giving out of a child to another family member other than the birth parents while non-kinship fostering is the giving out of a child to non-blood relatives. Over the years, however, there has been what is referred to as a diversification of these forms of fostering. The following discussion explores the typologies of child fostering in SSA.

Alliance fostering: This type of fostering among many societies in SSA involves fostering-in or fostering-out children in order to establish new friendships and/or strengthen existing ones (Goody, 1978; Sinclair, 1972). This type of fostering is usually non-kin and involves sending children to families not blood related to the birth parents including acquaintances, friends and loved ones of respectable socio-economic position. Alliance fostering might have social, economic, and/or political implications either in the short or long term or both depending on the families involved. It can be initiated either by the birth family or the foster family. Either way, the motive for alliance fostering is usually to strengthen the bonds of friendship, or acquaintances and/or to improve social mobility.

Apprentice fostering: This typology involves the fostering of children so as to offer them an opportunity to learn a trade (Fiawoo, 1978). Apprentice fostering in SSA, according to Goody (1975), is usually facilitated at a young age and to families in which children are given an opportunity to learn a trade with the foster parent. The element of training or apprenticeship

component inherent in this type of fostering is its main distinguishing feature. Apprenticeship fostering could be based on gender – the most common example reported in Ghana being predominant in Muslim communities where children, especially boys, are fostered out to be raised by prominent religious figures and/or politicians (Goody, 1973, 1975; Oppong, 1973). The fostering of children to these prominent people in society seeks to offer the children the opportunity to learn from the ‘best’. Female children are also often fostered to homes where they can learn the domestic roles they will need in the future in their matrimonial homes (Fiawoo, 1978; Goody, 1973, 1975).

Crisis fostering: Crisis fostering as the name suggest comes as a result of a crisis of a sort – usually as a result of the dissolution of the natural family (divorce, separation, or death) or sometimes an impending danger which is usually based on superstition (Oppong, 1973). In other cases, crisis fostering might result when a child is born out of wedlock, still frowned upon in some SSA societies because marriage remains the only culturally acceptable domain for having children in these societies (Serra, 2000). In societies where children born out of wedlock are stigmatised within the immediate community of the mother, fostering is seen as an alternative. The rationale behind crisis fostering in SSA is to enhance the chances of survival of the children by taking them away from the primary source(s) of crisis, whether ‘perceived’ or ‘real’ (Goody, 1970; Serra, 2000). Although this type of child fostering can be non-kin depending on the circumstances, it is usually kinship based. Crisis fostering is the most similar type to that fostering in the ‘Minority World’.

Domestic fostering: This type of fostering is the most common among SSA societies because children are still an important source of labour to families and form an integral part of the domestic labour force across communities (Klomegah, 2000). Domestic fostering is therefore an outlet for the redistribution of available child labour resources and services between households (Goody, 1975). These arrangements are easily facilitated because families in SSA tend to value larger family sizes and children who may become a liability in families where they are too many of them, are fostered out to families with fewer or no children, where they will be an asset (Isiugo-Abanihe, 1985). A typical example of this is the fostering out of young females to homes of new mothers, particularly young mothers, to help in babysitting. In essence, it is the need for the labour of the child that drives this particular type of fostering.

Educational fostering: Educational fostering is another model which by its name suggests an element of formal education. It includes cases where children are fostered so that they can be provided with the opportunity of a formal education. Proximity to educational facilities and the preparedness of a family to foster-in a child are key considerations under this typology. Pilon (2003) and Vandermeersch (2000) have however noted that the relationship between child fostering and access to education is not straightforward but often ambivalent in SSA. That is, while some children may be fostered so that they may have access to education, others are fostered for other reasons that keep them out of school.

The above demonstrates the several ways in which child fostering occurs in SSA. Depending on who fosters whose child and under what circumstances, child fostering is classified in the literature generally as either kinship fostering (fostering within the family) or non-kinship fostering (fostering outside the family or between families). Child fostering in SSA over the years has also included: alliance, apprentice, crisis, domestic, and educational fostering all of which seem independent of each other in theory. The reality however is that they are not all mutually exclusive in practice since there are usually crossovers and/or overlaps. The classifications are only an expression of a dominant element that served as the main reason for the fostering of a child in particular typology within the sub-region. Such diversity and overlapping of models is missing in the fostering practices in the 'Minority World' context.

3.4.2 Characteristics of fostering in SSA

A special feature of fostering in SSA is the fact that, in all these societies, birth parents classically entrust the main role for raising their children to close relations and/or loved ones (Goody, 1975). This means that birth parents are discerning in their choice of potential foster parents and selection is based on trust and sometimes religion. Birth parents will also naturally prefer foster parents who can give their children something better and/or different to what they can offer themselves - culturally, socially and/or economically. Thus, traditional fostering has mainly existed as an institution that favours the movement of children and young people to families where they are offered opportunities to learn important and valued skills, including farming, craftsmanship, the learning and teaching of the Quran and/or music (Goody, 1975; Oppong, 1973). These informal training schemes regulate the distribution of the benefits by all the parties: the children work for their foster parents in order to show

gratitude to them for the teaching, and the birth parents would also contribute with gifts occasionally. For instance, it is common practice among the Dagomba that birth parents send gifts to the foster parents either at the beginning of the traditional calendar and/or during the celebration of a traditional festival. These gifts are understood to mean birth parents' contribution to the upkeep of their child. Ainsworth et al. (2005) have however noted that although children are still fostered in order to offer them the opportunity to learn traditional skills in many societies in SSA, some of the unique feature of this form of fostering for example, its compatibility with child work and training and between adults' immediate and future benefits from children, is fading in some cultures. The main reason for this decline it appears, is the increasing importance of formal education, which, unlike traditional education, seems arguably incompatible with child work or child labour (Ainsworth et al., 2005).

Another feature of fostering in SSA is that fostering a child does not mean relinquishing children only when there is crisis in the birth family or on occasion when either or both birth parents are unable, for some reason(s), to cope with taking care of the child (Goody, 1975; Goody, 1982; Isiugo-Abanihe, 1985; Klomegah, 2000). This means fostering in SSA is largely free from the stigmatised perception of foster-child = a-child-at-risk although this is not wholly absent in the case of a number of societies.

The age at which children are fostered is another feature of the practice in SSA. Although the proportion of foster children aged 0-6 years is significantly lower than that for older children, the practice of fostering young children is still remarkable in the 'Majority World' when compared to the 'Minority World' (Serra, 2000). This is acknowledged to constitute a rare type of fostering, where the delegation of child-care responsibilities seems to represent the most relevant function (Goody, 1982; Oppong, 1973). Studies of fostering also agree that the main divide occurs around the age of 6-7 years (Azu, 1974; Goody, 1982; Oppong, 1973). In the accounts of African childhood, the ages 6-7 years mark a turning point for the child who is then given new responsibilities and encouraged to participate more actively in both domestic activities and in the life of the extended family (Mahama, 2004). Whereas boys and girls are treated similarly when very young, after the age 6 years, they take up gendered roles (Enry, 1978; Lloyd and Desai, 1991). This is to suggest that, children after age 6 assume distinct rights and responsibilities that society assigns and associates to their gender. In the case of older children, there are more intricate issues to be considered, since these fostered

children can contribute to the foster family's home economically; yet they will at the same time need informal training or formal education in order to prepare them for the future – hence there seems to be an optimum time to be fostered – the majority of children in SSA are fostered between the ages 6-7 years. Furthermore, continued parental investment in their children once fostering arrangements have been completed is another feature of the practice in SSA (Akresh, 2009). In most societies in SSA, birth parents remain in touch with their children, continuously and make a contribution for their upkeep and have a reserved right to take back their children in case of abuse and/or neglect long after their children have been fostered.

Finally the literature finds some asymmetrical treatment of birth and foster children in some societies within SSA by foster families (Goody, 1982). Silk (1987), for instance, suggests that in some societies foster children are compelled to work harder; the manner in which they are disciplined more forceful; and they may be given less resources compared to birth children. These asymmetries may also be gender-specific. For instance, in communities where the education of boys is often considered more important than that of girls, many parents try to keep their biological sons at home in order to be able to directly influence their education (Oppong, 1973). Yet across cultures in SSA, societies have advanced reasons for the continued existence of their fostering patterns. The next section explores these main reasons.

3.4.3 Reasons for fostering in SSA

There are many reasons why children and young people are fostered both within and between families, cultures and under various situations throughout SSA. In general, the reasons for fostering children and young people in different cultures include: enhancing family ties (Goody, 1978; Isiugo-Abanihe, 1985; Oppong, 1973), providing a home for children whose birth parents are facing some form of difficulties or families are dissolved (Kuyini et al., 2009), opportunity to learn a trade, attend school and providing domestic support to the foster family (Oppong, 1973). The reasons may generally be connected to matters of social capital, altruism or exchange-based practice (Silk, 1987). For instance, whether a family is fostering-in or fostering-out is usually contingent on a number of 'push' and 'pull' factors. Here 'pull' factors influence the fostering-in of children while 'push' factors necessitate the fostering-out of children (Klomegah, 2000). The decision to foster in SSA is therefore linked to several

factors; social, economic, cultural and/or tradition. Specifically, the major ‘push’ and ‘pull’ factors for fostering in SSA include: the need for the labour of children (Fiawoo, 1978; Kuyini et al., 2009; Oppong, 1973); strengthening family ties (Goody, 1978; Isiugo-Abanihe, 1985; Oppong, 1973); better opportunities for education and/or training outside the immediate family (Pilon, 2003; Serra, 2000); access to resources (Ainsworth, 1967; Gilborn, Nyonyintono, Kabumbuli and Jagwe-Wadda, 2001); as a response to particular social problems or family crises such as death of the breadwinner or divorce (Bledsoe and Brandon, 1992; Isiugo-Abanihe, 1985; Klomegah, 2000; Fiawoo, 1978; Goody, 1978); social and economic mobility (Bledsoe and Isiugo-Abanihe, 1989); competition among unrelated co-wives (Goody, 1982; Oppong, 1973); passing the cost of child rearing onto relatives (Goody 1982; Isiugo-Abanihe, 1983; Dasgupta, 1993); and ‘toughening’ up children (Gale, 2008). It is also possible to have a combination of more than one or even a mixture of all. The following section explores the main ‘pull’ and ‘push’ factors by way of literature review.

Labour: The need for child labour has been and remains one of the main ‘pull’ factors for families to foster-in children in SSA (Fiawoo, 1978; Kuyini et al., 2009; Oppong, 1973). In most SSA societies, girls help women with household tasks and child care, and boys help men in the fields or perform tasks associated with specialized occupations (Goody, 1982). Such labour is likely to be particularly valuable for families who have no children at home. The general understanding is that even though foster parents may take advantage of the labour of foster children (Kuyini et al., 2009), the work done by foster children in comparison to that of birth children is not automatically seen by the society as a something negative or child labour by any means. Children’s work in itself is not interpreted as a negative experience, nor is it seen as hindering the growth and development of the children involved (Bledsoe and Isiugo-Abanihe, 1989). Indeed, it is argued that the engagement of children in light work is to better prepare them for the exigencies of adult life (Kuyini et al., 2009); and that basic and pro-social life skills are acquired by engaging in domestic tasks as well as looking after younger siblings (Oppong, 1973). Similarly, cognitive, social, and economic competence of foster children are acquired and enhanced as they run errands and hawk. Their self-esteem and sense of belonging is also enhanced when their work is valued and seen as meaningful contributions to the family (Oppong, 1973; Goodnow, 1988). However there remain societies in which children are fostered into households even though they do not seem to contribute appreciably to the productivity of these households for many years (Goody, 1982).

Strengthen family ties: Another ‘pull’ factor is that of a social responsibility and the need to strengthen family ties both within and/or between families (Goody, 1978; Isiugo-Abanihe, 1985; Oppong, 1973; Bledsoe and Brandon, 1992; Goody, 1978). Most societies also foster children under exceptional circumstances such as in a case where a family experiences childlessness or families who have had children that have all left home. This is to show solidarity and encouragement to such families because of the value and importance of having children in a household plays within the culture of the people (Klomegah, 2000; Pilon, 2003; Serra, 2000). It is also argued by some that it is often ‘special’ children who are fostered out by their birth parents and foster parents treat them as such. They may be seen as intelligent, beautiful, or children with a promising future. The exchange of children maintains contact and reciprocal obligations among relatives who are dispersed over long distances, establishes links between members of different generations, and diminishes the social distance between estates or patronymic groups. Adults not only accept responsibility for raising foster children, they sometimes solicit children from their natural parents.

Access to education and other resources: Fostering in SSA is also an important part of a child's education and moral training (Goody, 1982; Gale, 2008). This means that children may be solely fostered in SSA in order to offer them the opportunity to have an education. This is evidenced research in Burkina Faso which suggested that foster children have a better chance to have an education compared to their siblings who are under the care of their birth parents (Akresh, 2004). It is important to explain that this might depend on the type of fostering. Gilborn et al. (2001) have also suggested that foster children may have access to resources both material and/or non-material that they previously lacked in their birth homes. This is seen as another ‘pull’ factor for families to foster their children in SSA.

A response to particular social problems or family crisis: In SSA, there seem to be an increasing number of cases in which children are fostered as a result of family or community crisis – a more recent case in point is the current Ebola crisis in some sub-Saharan African countries. Divorced parents may also resort to the fostering of their children from their previous marriages in order to hide reminders of their past relationships. Many children are also fostered out of their natal households when their parents die (Goody, 1973). Fostering does not follow the dissolution of households simply because single parents are unable to support their children. Instead, fostering appears to occur in these situations because of a

number of reasons: women may find it difficult to remarry or incorporate themselves into their new husband's household if they have offspring of their own, and children are unlikely to be well treated by co-wives after their mothers leave the household (Goody, 1973).

Social and economic mobility: In some societies, fostering seems to provide a route for social and economic mobility. For instance, children and young people may be fostered out to relatives while their birth parents leave for the city or town to find work or it is the children who may be sent to foster parents who live in larger towns than the birth parents. This is because such towns provide greater economic opportunities (Bledsoe and Isiugo-Abanihe, 1989).

Competition among unrelated co-wives: This provides another reason for fostering in SSA. Co-wives may be jealous of resources or privileges allocated to each other's progeny (Goody, 1982; Oppong, 1973) and may be envious of each other's fecundity (Goody, 1982). In southern Ghana for instance, Goody (1982) reports that women with many children sometimes feel that their children will be safer from the malicious attentions of their co-wives if they are fostered out of their natal households and men are often reluctant to entrust children to a wife other than that child's biological mother because co-wives are rivals for his affection and support and may be rivals. Fostering therefore appears to be a favoured option. Similarly, among the Mossi, wives of high chiefs are sometimes sent away during pregnancy to avoid possible danger from their co-wives (Skinner, 1964). Families who believe in witchcraft may also foster their children to enhance their survival and development.

Passing the cost of child rearing onto relatives: In SSA the norm within the most societies is that a person cannot refuse a child given to you by a relative to raise. This is described in some studies, mainly demographic, as a way of passing the costs of child rearing onto other family members (Goody, 1982; Isiugo-Abanihe, 1985; Dasgupta, 1993). It is further argued that because parents can foster out their children to other relatives, some birth parents do not seem to weigh all possible consequences of their giving birth to children or the possible consequences of fostering their children out to other families (Goody, 1982; Isiugo-Abanihe, 1985; Dasgupta, 1993).

'Toughening up': As a result of their training and experiences, child fostering also gives children and young people the opportunity to become independent and self-reliant from a

very young age. This, it is believed, enhances their chances of becoming successful individuals in future (Gale, 2008).

Added to the reasons advanced above are the complexity and sophistication of contemporary societies which result in many parents being unable to give their children the appropriate parental care. As a result, there is the growing need to foster children and young people in many societies. Poverty as well as the overwhelming impact of diseases such as HIV/AIDS and EBOLA has made many children orphans in SSA. These children need care, and fostering them to other family members is inevitably an option.

3.4.4 Factors that shape the experiences of foster children and fostering outcomes in SSA

Verhoef and Morelli (2007) have noted that the circumstances underlying the fostering of children shape their experiences more than the simple fact that they are being raised by a foster parent. The literature has identified the following as contributing factors that shape the experiences of foster children: attitudes of members of the foster family toward them (Azu, 1974); the wealth of the foster family (Bledsoe, 1994); familiarity and choice (Castle, 1995); and compensation (Bledsoe and Isiugo-Abanihe, 1989). These factors are explored below.

Household members' attitudes toward foster children: The literature suggests that foster children usually become highly aware of their status within the household of the foster family and are able to tell if they are welcomed or not (Azu, 1974). The foster family household members' attitudes towards foster children can include: how welcomed they made the foster child felt when they first arrived (Goody, 1982); the bonds between foster children and other children in the foster family (Ainsworth, 1967); the involvement of children in the decision-making processes including the decision to foster them (Verhoef and Morelli, 2007); and rapport between foster parents, birth parents and other relatives (Goody, 1982). All these are valuable contributing factors that shape children's experiences. In general, it seems that children's experiences are positive when the foster family members are happy and kind in their attitudes toward foster children.

The wealth of foster family: Researchers have also explored the relationship between foster family's wealth and the experiences of foster children (Bledsoe and Isiugo-Abanihe, 1989). However, the wealth of the foster family does not always lead to a positive fostering experience for children. This is so because the practice of fostering children is affected by many other forms of inter-family relationships rather than the wealth of the foster family. In those instances when the wealth of the foster family matters, it may be measured by the ability of the foster family to provide those children with the basic necessities of life including; food, clothing, education and medical care (Verhoef and Morelli, 2007). But the foster family's wealth does not always guarantee positive fostering experiences for children because of the tendency of some foster families to treat foster children like servants (Boothby, 1993). This appears more likely when foster children are older and not close relatives to the foster parents and/or when the foster parents are highly educated and live away in the city (Verhoef and Morelli, 2007; Bledsoe, 1994).

Familiarity: This seems another important factor that shapes the experiences of foster children. For instance, Gilborn et al. (2001) observed that foster children are likely to show less emotional difficulties when under the care of familiar foster parents. The question of familiarity helps in explaining the reason why children fostered by paternal relatives seem to have negative experiences. Paternal relatives are relatively less familiar to children compared to the relatives of the mother even in patrilineal communities (Verhoef and Morelli, 2007). There is also the tendency that fostered children who are unfamiliar with their foster parents may face mistreatment, exploitation, and/or discrimination in their foster family homes. Familiarity therefore greatly influences the experiences of foster children and children will rather they are fostered into families they are familiar with (Ali, 1998).

Choice: This seems important because when foster parents involuntarily foster-in children following some form of crisis within the extended family, such foster children may have negative experiences (Castle, 1995). For instance, Malian children who are fostered as a result of the lack of choice are more inclined to be malnourished compared to their counterparts who were voluntarily taken in by foster parents (Verhoef and Morelli, 2007). Bledsoe and Isiugo-Abanihe (1989) also report the ill-treatment of 'illegitimate' foster children in Sierra Leone - such foster children are made to work harder and are frequently punished through food deprivation. However, foster children do not always have negative experiences when their foster parents take them in involuntarily. In rural Tanzania, for

instance, such foster children are as likely to have an education and/or suffer the same risk of child mortality compared with children being raised by their birth parents (Urassa, Boerma, Ng'weshemi, Isiugo, Schapink, and Kumogola 1997 cited in Verhoef and Morelli, 2007).

Compensation: It is also reported that foster children may have better experiences when their foster parents are 'compensated' for the care they provide. This claim is supported by research in Sierra Leone that suggests that foster parents are likely to treat foster children better if they receive support of any kind - material and/or financial from the birth parents and other members of the extended family (Bledsoe and Isiugo-Abanihe, 1989 cited in Verhoef and Morelli, 2007).

Emotional value: The experiences of foster children can also be influenced by the capacity of emotional attachment of the foster family in a particular fostering set-up. For instance, families who do not have children of their own and/or those families who have adult children who are no more at home with them may invest considerable emotional attachment in the fostering of other children which in turn, may enhance the positive experiences of such children. Similarly, if a family experiences the death of their own child and/or children, they may treat others children well when they have the opportunity to foster them (Castle, 1995).

Thus the outcome of fostering arrangements appears to be influenced by diverse factors such as: the kind of relationship that exists between the birth and foster families; the level of birth parental involvement in their child's fostering experience; the economic benefits parents expect their children to gain; the gender of the child and the emotional investment (or not) of the foster parents and foster family's children, if any.

This review suggests that the factors that shape the experiences of fostered children are contingent on the circumstances surrounding the fostering arrangements. These experiences it appears might however differ significantly from one child to another depending on the families and communities involved. It has also been demonstrated that the wealth of the foster family, familiarity between the child and the foster family, the issue of choice, and support by birth family all matter and thus help in shaping the experiences of foster children (Verhoef and Morelli, 2007). The experiences of foster children are also shaped: when children feel they 'chose' their foster parents (Kuyini et al., 2009; Oppong, 1973); when they feel their voices are heard in decisions that concern them (Kuyini et al., 2009); when there is

common understanding between birth and foster parents regarding the day-to-day and future care of the child; and when the foster parent(s) feel supported by the birth parents as well as other members of the extended family – materially and/or financially (Goody, 1982). The fact that the references used in the forgoing section are not new but are all that are available and relevant to research, suggest the need for more up-to date research.

3.4.5 Merits and demerits of fostering in SSA

It has been suggested in the literature that Ainsworth (1967) pioneered the research on the effects of child fostering on the welfare of children and, in her study, found that the practice could have adverse effect on the welfare of foster children in Ivory Coast. The validity of Ainsworth's findings have however since been contested by other researchers such as Zimmerman (2003) in South Africa and Akresh (2009) in Burkina Faso. Zimmerman (2003), for instance, found in his research that foster children are not at a disadvantage compared to other children regarding education in particular. However, Fafchamps and Wahba (2006) in Nepal also contest Zimmerman's finding on the grounds that school enrolment rates per se are not hard evidence of fostered children's achievements but their academic performance may actually matter more. These mixed outcomes suggest the existence of cross-national differences. This section reviews the literature on the merits and demerits of child fostering.

Studies in both Anthropology and Sociology have emphasised the merits foster parents accrue through child fostering in relation to the support the foster parents receive from foster children (Goody, 1982; Oppong, 1973). But the fostering of children and young people can be mutually beneficial to **both** families when it considers the differences between the two families in the opportunity cost of time and place as well as the potential for child education and training (Kana et al., 2010; Serra, 2000). In Ghana, fostering appears to confer several distinct advantages upon the children. For children whose birth families are dissolved by death or divorce, fostering may reduce the hazards of competition from unrelated caretakers and their offspring within birth families. Parents may enhance their children's welfare and physical safety if they arrange for them to be fostered out. Sometimes fostering also improves the child's educational opportunities and social status, which may in turn increase the child's future economic prospects (Verhoef and Morelli, 2007).

On the other hand, the practice of fostering children may also result in unfortunate experiences for the children and young people involved. The mere separation of these children and young people from their birth families, and its accompanied strain is assumed to place foster children in danger - psychologically and/or physically (Verhoef and Morelli, 2007). Restlessness and disruptive behaviour are also noticeable ways foster children sometimes react when they are fostered to families they do not like. Such attitudes, it is understood, are aimed at provoking a rejection by the foster family (Verhoef and Morelli, 2007). Furthermore, foster children may have difficulties adjusting to the environment and food in their foster family home and they may become sick as a result (Bledsoe and Isiugo-Abanihe, 1989). There is also evidence that out of frustration culminating from their lack of control over their fostering situation, some foster children may refuse to eat (Bledsoe and Isiugo-Abanihe, 1989). This may lead to malnutrition because proper nutrition is essential to their proper growth and development (Pitt and Rosenzweig, 1990; Alderman, Behrman, Lavy, and Rekha, 1997). This is corroborated by Akresh (2004) and Zimmerman (2003) who conducted research focusing on the effects of child nutrition on academic excellence in schools in Burkina Faso and South Africa respectively. Foster children are also more likely to be engaged with housework rather than given the opportunity to attend school (Ainsworth et al., 2005); and those of them who get sick are sometimes blamed for 'faking' it to keep away from domestic chores and are likely to be ignored until the sickness gets worse (Oni, 1995 cited in Verhoef and Morelli, 2007). Some foster children may be maltreated and/or abused by their foster parents (Morris and Wheatley, 1994). Foster children may also be generally required to work harder than birth children (Azu, 1974; Goody, 1973; Goodnow, 1988).

In summary, child fostering is seen to have a number of merits and demerits. Its demerits justifies the 'Minority World' viewpoint that portrays foster children as 'needy' and the idea that being fostered is an unusual experience in a child's life (Ainsworth et al., 2005). The merits nonetheless give the impression that it may not be acceptable to generalise selected negative fostering experiences to the entire foster population, especially across cultures (Folman, 1998; Verhoef and Morelli, 2007). As suggested elsewhere in this review of literature, the 'Minority World' perspective differs substantially from the 'Majority World' view of the practice. In the next section I explore the relationship between child fostering and child migration. The essence is to clarify the blurred gap between these concepts.

3.5 Child fostering versus child migration

In most international and national discourses of child migration, the phenomenon is often observed from the angle of the conservative principles of the family with particular notions of the ideal relationships between the parent and the child (Hashim, 2004). By definition, child migration is the movement of children, without their parents, to another country or region either voluntarily or by force usually for their labour (Vargas-Silva, 2012). The reasoning is that living together with children provides opportunities for the parents to nurture and socialise their children. This relationship also implies that parents provide moral guardianship as well as children depending on them for support. When children move on their own to cities, it can be implied that their family is either broken and/or dysfunctional (Hashim, 2004).

In SSA, migrating children and their families are often the subject of strong moral condemnation compared to more stable foster counterparts. These children are usually portrayed negatively by the national and international media (Hashim, 2004). Such moral evaluation seems particularly stronger in SSA. In Ghana, for instance, issues of migrating children are regularly talked about in the media where some of these children are reported and described as ‘trafficked’ (Hashim, 2004). Child migration may also lead to family breakdown in SSA because when children migrate, their families are not able to care for them or supervise their lives or provide parental guidance. These families may also be denied the support they received from their children’s labour and company.

Interpreting the migration of children in SSA communities requires dexterity and attention to detail because it is more complex to evaluate the full situation of specific migrant children. For instance, majority of the participants in a research study conducted by Hashim in a community in northern Ghana suggested that while some children migrated independently, but lived with members of their extended family resident in southern Ghana, others migrated independently but lived on their own (2004). Reasons why children migrate may include: the need to make money in order to sustain either themselves or other family members at home; neglect or the inability of guardians to look after them. Child migration is therefore assumed

to signal the reaction of children to difficult situations at home (Hashim, 2004). The majority of these children nonetheless see their migration to be a positive thing (Hashim, 2004).

Depending on the existence of extended and distant family relationships, child **movement** in SSA reflects the value placed on child fostering where children are transferred by birth parents to live with other relatives (Akresh, 2003; Pilon, 2003). This does not represent family breakdown, it is instead perceived as an opening to enhance family ties and ensure that children are better provided for within the extended family network. This will be particularly important to societies afflicted with EBOLA.

Finally, as a result of the circumstances that might necessitate the migration of children in SSA, its literature is often subsumed within the literature on ‘child trafficking’ (Whitehead and Hashim, 2005). The general assumption is therefore that child fostering does not really constitute migration since the practice is viewed in a positive light even when the child is moved long distances to distant relatives but child migration and trafficking are seen to interfere particularly with the education of children and young people (Boyden, 1997; Nieuwenhuys, 1996; White, 1999).

In summary, it seems that one way by which child migration manifest itself is through child fostering – a socio-cultural practice well-documented in Ghana and other places in SSA (Goody, 1982). The relationship that exists between child fostering and child migration and how far does one affects the other is an issue that will be explored further in part four of the research.

The next section explores the literature on the best interests of the child principle. The principle is considered in this research instead of concepts such as child wellbeing because the latter is central to both the domestic and international human rights instruments such as the Children’s Act, the ACRWC and the UNCRC.

3.6 Discourse of the best interests of the child

The principle of a child’s best interests, according to Kohm is ‘the most heralded, derided and relied upon standard in family law today’ (2008: 337). It is equally central to child protection

and welfare as well as children's rights discourse today. The principle is 'the most heralded' because it espouses the best and highest standard; it is 'derided' because it is necessarily subjective; and it is 'relied upon' because according to Kohm, there is currently nothing better (2008: 337). In particular, the principle affects children in divorce cases, child custody, child adoption as well as all other forms of child protection services. Key questions to ask are what is the best interests of the child? Is the principle universal or culturally relative?

Over the years, the dearth of scholarship on the principle in family law jurisprudence as well as international children's rights does not seem to make the judge's job any easier. For most authors, the child's best interest can be defined to mean a combination of factors that a child needs in any arrangement that will guarantee his/her growth and development (Kelly, 1997). According to Marshall (1997), the principle necessarily invites judges to rely on their own standards and prejudices in making decisions on matters relating to the child's best interests. This section reviews literature on the principle tracing its evolution, its formulation and interpretations under the United Nations Convention on the Rights of the Child (hereafter, UNCRC), the African Charter on the Rights and Welfare of the Child (hereafter, ACRWC) and the Ghanaian domestic legislation, as well as the debates on its merits and demerits as a standard principle in adjudicating decisions regarding children.

3.6.1 Evolution of the principle

Historically, the 'best interests' of the child, also known as the welfare principle, is easily traceable to the legislative and jurisprudential legal instrument in the 'Minority World'. The principle is generally considered as one derived from Anglo-American family law which has been a feature of legal development for the past 200 years (Belembaogo, 1994; Breen, 2002). The principle also represents a 20th Century shift in public policy from an adult-centred to a more child-centred one. It has nonetheless developed far and wide beyond its original conception and jurisdiction making it a universalized standard in all matters concerning the child – at least in state legislations and policies.

In terms of its evolution, the principle began to spread internationally when the rights of the child were formally put together in a single internationally recognized document under the Declaration of the Rights of the Child in 1924 (Breen, 2002). It was repeated in subsequent

international treaties including: the Universal Declaration of Human Rights in 1948; the Declaration of the Rights of the Child in 1959; the International Covenant on Civil and Political Rights (Articles 23, 24 and 39) in 1966; as well as the International Covenant on Economic, Social and Cultural Rights (Article 10) in 1976. The principle's formulation under the UNCRC has since been applied by state parties in courts across the world and its influence on the discourse of children's welfare is unmatched and has no doubt helped to create a new area of law with children as subjects (Breen, 2002).

3.6.2 Domains of operation and the principle's implementation

This section explores the literature on the three main domains under which the best interests of the child principle operate – international, regional and national.

Internationally, the UNCRC is the practical accumulation of much lobbying around children's rights and heralded as the major policy initiative anticipated to promoting and protecting children's rights (Tisdall and Punch, 2012). The UNCRC is particularly welcomed as positively influencing notions of childhood, with children and young people seen as social actors and human beings with their own rights (Hart, 1992). Its adoption in 1989 revolutionised the recognition of children as subject under international law, although various existing national customary laws were already in place.

Burr and Montgomery (2003) write about the UNCRC as a document whose central theme is that irrespective of age, emotional development and vulnerabilities, the fundamental human rights of children is the same as adults and that these rights apply to every child in every part of the world. Rooted in the Universal Declaration of Human Rights, the UNCRC is primarily concerned with the protection, provision and promotion of children's rights. It has been ratified by all countries except the USA and Somalia; Southern Sudan being the latest to have ratified the Convention. It is the most widely ratified international treaty in modern history.

Article 3 (1) of the UNCRC is regarded as one of the most important formulations of the best interests of the child principle although it is mentioned in several other places within the UNCRC. For instance, mention is made of the principle: in the instance of separating the child from the birth family (Article 9); regarding the responsibilities of parents in raising the

child (Article 18); as well as adoption and similar customs (Articles 20 and 21) respectively. According to Article 3 (1):

In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

Merits of the UNCRC include its creation of a balance between children's welfare and their vulnerability on the one hand and their participation on the other which demands that their views be given due consideration on issues that affects them (Article 12); and at the same time giving a primary consideration to their best interests at all times (Article 3). At the practical level, the UNCRC provides a single binding instrument of international law concerning children and young people. This has successfully pushed advocacy for children and young people to the fore at the international, regional, national and local levels – with certain attributable results (Tisdall and Punch, 2012).

Nonetheless, the UNCRC is also criticised for a number of reasons. In particular, it is often seen as a compromise document, which, ironically, did not substantially include children and young people in its creation (as would be required presumably, by its Article 12) (Tisdall and Punch, 2012). It is also seen as being insensitive to cultural diversity, specifically, in its conceptualisation of childhood and that its creation was dominated by countries in the 'Minority World' (Alston, 1994). Furthermore, the UNCRC is seen to have failed in recognising the value of collective rights and communitarian societies as cherished in the 'Majority World' but rather emphasises individual civil liberties. Another important criticism is that **the UNCRC is** written in particular languages – that is a sign of a neo-colonialist tendency (Alston, 1994). That is, out of the numerous indigenous languages in the 'Majority World', none is considered good enough. Finally, like many international Conventions, the UNCRC's phrasing also allows for considerable interpretation, at best, and manipulation, at worst (for example, the best interests of the child under Article 3) (Tisdall and Punch, 2012).

In general, however, the UNCRC has made a measurable impact on the legal and policy environment across the African continent. It encouraged the development of a regional children's rights document - the African Charter on the Rights and Welfare of the Child (ACRWC) in 1990.

Regionally, the ACRWC is the treaty on the rights and welfare of the child within the African continent. It was adopted in July 1990, by the Organisation of African Unity (hereafter OAU) in order to give the UNCRC definite appliance within Africa. The ACRWC can be interpreted as a reaction to the UNCRC seeking to articulate a version of children's rights more congruent with African culture and practices and seen as a positive manifestation of children's rights within the African continent (Kaime, 2009; Sloth-Nielson, 2008). Essentially, the ACRWC acts as a bridge between international human rights law for children and domestic compliance for countries within the African continent. An important element of the ACRWC is that it focuses on children's rights and their responsibilities, as well as the rights of parents. The ACRWC has since become the pre-eminent authority on children's rights issues in Africa. Thus it reflects a consensus by Africans on children's rights as well as represents an attempt to Africanise the discourse of children's rights (Sloth-Nielson, 2008). In another sense, the ACRWC highlights the complex and often arduous task of translating legal and ethical concepts including that of child rights between two normative or value systems in its formulation (Kaime, 2009).

Like the UNCRC, at the heart of the ACRWC is the 'best interests' principle. However, the formulation of the principle under Article 4 of the ACRWC is deemed stronger (Pruett, Hoganbrun and Jackson, 2000). Article 4 of the ACRWC states that: 'in all actions concerning the child undertaken by any person or authority the best interests of the child shall be the primary consideration.' It is stronger legally because of the use of the definite article 'the' in place of 'a' in the case of the UNCRC. At its present state, there is still very limited literature based on the application of the principle under the ACRWC. Regarding its meaning however, the principle under the ACRWC has been described at best, rather nebulously, as an ill-defined standard that opens up a plethora of considerations and priorities within the African context (Pruett et al., 2000).

At the national level, the Children's Act of Ghana (Act 560) provides the legislative instrument for the domestic application of the UNCRC and ACRWC. The Act was passed in 1998 to help reform and consolidate the laws relating to children in Ghana and to provide for their rights. Clause 2(1) (2) of the Act states that:

The best interest of the child shall be paramount in any matter concerning a child and shall be the primary consideration by any court, person, institution or other body in any matter concerned with a child.

The Clause is similarly formulated as in both the UNCRC and the ACRWC. Act 560 is of particular relevance to this research because, together with the UNCRC and the ACRWC, it provides the legal basis for research on the Dagomba conceptualization of the ‘best interests’ principle under child fostering.

3.6.3 Role and interpretations of the best interests principle

A synthesis of opinion across literature suggests that, essentially, the principle plays three main roles in conjunction with other articles of the UNCRC. Firstly, it provides justification and clarification for a child rights approach to issues arising under the UNCRC. This means that the principle can be used as either an aid for the construction of a child rights approach to issues and/or independently when implementing other rights enshrined in the UNCRC (Alston, 1994). Secondly, the principle serves a mediating role in deciding between different rights in case of a conflict (Alston, 1994). For instance, the inherent conflict between observing a child’s right to participation (not simply asking the child of his/her views in a complex matter, but seeking to elicit his/her wishes and feelings in the proper context and manner which may require subtle and sensitive work) and an adult’s responsibility to promote the child’s best interests (Eekelaar, 1994; Thomas and O’Kane, 1998). Similarly, Schofield (1998) also emphasises the significance of giving due consideration to the emotional content of children’s expressed opinions. Thirdly, the principle serves as a standard to assessing laws, norms, conventions and practices of all state parties (Stephen, 1994).

The literature also provides various interpretations on the framing of the principle under the UNCRC. According to Alston, ‘the framing of Article 3 underscores the fact that the principle has universal application and jurisdiction legally, administratively and all actions concerning children’ (1994:22). In his view, the framing of the principle under the UNCRC makes it an umbrella provision and leaves it both gender-neutral and open-ended (1994: 7). Another line of interpretation is that Article 4(1) of the ACRWC provides a higher standard compared to Article 3(2) of the UNCRC. The difference is in the use of the definite article instead of the indefinite and although it may seem a pedantic assertion, it has significant

practical ramifications (Lloyd, 2002). The lower standard in the UNCRC has been interpreted as a procedural fairness requirement allowing judges and others to consider what is in the child's best interest. It is acknowledged that although decisions may not reflect what is best in the interests of the child, the principle nonetheless allows for the primacy of whatever cultural norms on upbringing are to be current (Lloyd, 2002).

3.6.4 Debates on the merits and demerits of the principle

Many have criticised the principle as vague, non-specific, open-ended and question the kind of guidelines it provides to courts to enable them adjudicate on what is in the best interests of children (Banda, 1994). Others however argue that the same characteristics of principle make it applicable in different cultural contexts and that by virtue of its dynamism and elasticity the principle is deemed important to the foundations of jurisprudence surrounding children (Banda, 1994; Breen, 2002).

Another merit of the principle is that it provides a litmus test to take decisions about children on an individual basis and not judge them as a unit with the same and/or similar needs, interests and circumstances in the eyes of custom and tradition or even the law (Kelly, 1997). Therefore, the principle, if properly applied, will be a worthwhile ultimate exercise in examining the individual child's developmental and psychological needs (Elrod and Dale, 2008). This could be an important consideration before, during and after children are subject to interventions such as fostering, in their lives. Furthermore, because of its dynamism and elasticity, the principle enables society to react to the day-to-day changes in behaviour and attitudes towards children (Kelly, 1997). For instance, what was considered best in the interests of the child 10-20 years ago in matters such as fostering, in the particular case of this research, might not necessarily be the case today.

Finally, without the principle as a benchmark, it might be difficult or perhaps impossible to make decisions about children's best interests after all. The principle therefore provides a principal value that injects a set of standards in decisions regarding children that are free from other considerations (Eekelaar, 1994; Kelly, 1997). This means that, at least, decisions are always to be based on beliefs deemed to be in the child's best interests.

The principle is however also criticized on a number of grounds. For instance, a primary criticism of the principle is that it is inherently indeterminate and unpredictable (Eekelaar, 1994; Fineman, 1988; Mnookin, 1975). Many scholars interested in understanding the best interests of the child are therefore unconvinced that the principle is a good enough standard or the best way to decide or adjudicate matters regarding children.

The principle is also considered idealistic and virtuous. This suggests that the principle requires a rather individualised choice between alternatives (Artis, 2004; Mnookin and Szwed, 1983). It has been argued that the principle therefore causes a problem because there is neither an agreement on what is 'best', nor the ability to forecast objectively which decision produces the best results for children regarding their best interests (Wardle, 2006). This means that any predictions regarding the effects of current happenings on the future of children are essentially speculative based on what is currently known about children either at the family level or state level (Belembaogo, 1994).

A third criticism of the principle is that it inevitably neglects the rights and needs of parents because it is seen as the overriding, paramount/primary consideration in every decision affecting the child (Alston, 1990). The critics however argue that this should not be the case because other people may have the same, if not more important legal interests under certain circumstances involving the child. For instance, a situation involving a mother in a medical emergency during childbirth (Alston, 1994). A further criticism against the use of the principle is that it is a vague standard in which individual judicial subjectivity and gender biases have in the past often penalized particular parent groups and children, resulting in custody decisions that are discriminatory (Kelly, 1997).

Central to the debates based on the ACRWC is the criticism that there is a problem in promoting the principle within cultures in which customary laws and practices are still firmly held and sturdily practiced by many (Belembaogo, 1994; Quashigah and Okafor, 1999; Falk, 2000). The principle is seen as one which is at variance with traditional laws and practices in Africa since there are still grounds for limiting individual rights at all levels within the society (Sloth-Nielsen, 2008). The argument therefore is that the rights of the group are overlooked if the emphasis is on the child's best interest. Sloth-Nielsen's opinion is supported by Quashigah and Okafor whose view on the interface between child and group in Africa is that the latter (group) remains a distinct feature of traditional African culture and should be

maintained (1999). However, scholars in favour of the principle have argued equally forcefully that regardless of the multiplicity in societies, cultures and civilisations, every society still owes it a responsibility to provide the child a special place and that perhaps a better understanding of the principle will help promote its culture in Africa (Belembaogo, 1994; Kaime, 2009). This is of significant interest to this research.

A second criticism of the principle based on the ACRWC is that in places where norms, traditions and culture still shape the day-to-day reality of the people, the consideration and emphasis of the principle in Africa will often, if not always, result in conflicts with such customs (Belembaogo, 1994). For instance, the principle clearly arises from an individualistic world viewpoint that conflicts with what is inherent in both the religious and customary laws widely observed in Africa (Belembaogo, 1994; Quashigah and Okafor, 1999). The point here is that in many African societies where there is very strict adherence to African customary law, some still live according to the laws of their group and most according to a mixture. It therefore seems that it will be difficult to promote the best interests of the child principle without dispute. Therefore, in the context of Africa where the values of all or part of the society are still based on group and collective rights, not those of the individual, the adoption of the principle ceases to be a straightforward moral decision. Caution must therefore be taken because any such attempt at social insensitive engineering will become a recipe for social and legal conflict if it is overly optimistic (Burma, 2003). A counter argument to this is that the primacy given to the concept does not mean that the interests of the child is absolute, but rather that there must be very clear and unambiguous reasons why particular rights of the child are constrained by the society on each occasion (Kaime, 2009).

Another criticism of the principle is that it is a utopian legal concept that deludes the classes in power, even in the 'Minority World', into believing that the interests of children are being taken care of even when the reality is very different (Burma, 2003). The concept, it is further argued, is even worse than a delusion in the case of Africa and that it is an import that distorts the operation of traditional African legal systems and distorts the way society provides for its members (Burma, 2003). However, many other scholars have argued that the formulation of the principle is an answer to those who have questioned the strict presumptions upon which children's rights are usually based suggesting that it allows a great deal of flexibility and cannot therefore be classified as something alien to African cultures (Renteln, 1990). In support of the principle, it is further argued by scholars that the imprecision of the concept is

only an acknowledgement of the diversity in which it is applicable. Therefore, there seems to be understandings of the principle which each society at least can apply relatively freely. There are also areas of the principle that require standard application (Belembaogo, 1994). A final criticism of the principle is that it has been described as being individualistic and too child-rights oriented since it undermines the interest of others and these may be in competition such as that of parents and other siblings (Goonesekere, 1994). Those in favour of the principle however argue that it is mainly child-centred because it is adults who interpret it in courts, communities and families (Goonesekere, 1994).

The above section explored the legislative and jurisprudential history of the best interests principle, its meaning and significance with a focus on its applicability within the Ghanaian context. As discussed, the principle is recognized as an overarching one under the UNCRC, the ACRWC and the domestic law of Ghana in matters concerning children. I have drawn on various debates about the principle in the field of social work and family law at international, regional and national levels and highlighted key points of convergence and divergence. The importance of understanding the principle and its possible effect is invaluable to understanding how it is conceptualized and understood in the practice of child fostering in Ghana.

3.7 Chapter conclusion

The chapter explored the literature relevant to the needs and purposes of the research study. Principally, the literatures on child fostering and the best interests principle have been reviewed, highlighting the nuances in the contextual understandings of these concepts. In addition, the literature on the new sociology of childhood and child migration has been reviewed.

From this chapter's discussion, four elements are identified as salient to guide the later interpretation of the data. These include: 'Minority/Majority World' global relations; constructions of childhood; the child rights discourses and the best interests principle. Also running through the discussion was the question of fostering as a reaction to neglect by birth parents and risk to the child ('Minority World') or an act by birth parents intended to benefit the child ('Majority World').

The phrase 'Minority/Majority World' highlights the global relations between the minority of the world's population who live in the economically advantaged parts of the world, such as Australia, Canada, Europe, Japan, New Zealand, and USA, and the majority of the world's population who live in economically disadvantaged parts of the world such as Africa, Asia and Latin America. On the one hand, the 'Minority/Majority World' distinction defines the community in terms of what it is, rather than what it lacks; but, on the other hand, it also draws attention to the anomaly that the Group of Eight countries including Canada, France, Germany, Italy, Japan, the Russian Federation, the United Kingdom and the United States - whose decisions affect the majority of the world's peoples - represent a tiny fraction of humankind (Boyden, 1990). Although such a simple binary distinction between the 'Minority/Majority Worlds' can be criticised for oversimplifying a more complex picture (Marsh and Keating, 2006), using it in this research is an invitation to reflect on the global inequalities and unequal power relations between the two world areas. It also allows for a distinction to be made between fostering as an intervention to prevent further risk to the child, and fostering, as practised in Africa and elsewhere, as a less stigmatised form of childcare without the birth family. As such I have provided a background for a fuller discussion of child fostering later in the thesis, comparing the deficit model in the 'Minority World' and the family oriented model in the 'Majority World'.

The construction of childhood and more specifically the social construction of childhood is a central theoretical concept of this study. The social constructionist approach emphasises the following: one, the idea that perceptions and understandings of phenomena vary between cultures and across nations (Bourdillon, 2000; Woodhead, 1999) and, two, that the experiences of childhood are fluid, diverse and change over time and space (place and context) according to differences in people's social, economic, cultural and political contexts (Morrow, 2003; Punch 2002). It advocates considering who is defining the issue, where and at what point in history. Understanding this theoretical position is important to the research study because it highlights that both perceptions and understandings of children and childhood necessarily differ from one culture to another. This theoretical position provides possibilities for different constructions and thus understandings and experiences of childhood, which are in turn relevant to understand the roles and experiences in fostering within the research study.

The best interests of the child may be a widely used principle in policy but the principle is under-researched in reference to Ghana. My review of the literature also showed how the principle can be differentially defined, and has embedded power relations. Yet, it is recognised as an overarching principle under international, regional and Ghana's domestic law in matters concerning children. An understanding of the principle and its possible effects sheds light on how it is conceptualised and understood in the practice of child fostering in Ghana.

In conclusion for this section it is to be noted that there has been a tradition of fostering children both within and between families in Ghana. This is a cultural practice negotiated between families with minimal state intervention to organise, monitor or judge. With colonialism came a legislative history that continued to some extent post-independence – with legislation that seeks to meet international obligations and creates some parameters for child fostering. But between legislation and family practices is a gap of infrastructure and policies. The research study seeks to find out the role the state should have in Dagomba child fostering. This is important to the study because in Ghana as many people foster today as they did in the past. The practice also seems to have a future, although the cohesiveness within families is arguably loosening as a result of social and economic pressures. The practice is therefore considered an important yet understudied practice with significant policy implications because it is often linked by the international community and in the research literature to child migration, abuse and neglect. The above concepts collectively provide a provocative theoretical framework for this research project.

PART THREE

Chapter 4 Methodology

‘There is no perfect way to do research’ (Lewis, 2004: 11).

4.1 Introduction

This chapter discusses my choice of methodology for the research which was influenced by my interests, personality, skill-set and my willingness to accept the assumptions underlying the philosophy of qualitative research. The chapter is divided into six main sections. The next section restates the aims and research questions of the study. Section two explains qualitative research as a research methodology and justifies why that was considered most suitable for the study. Section three discusses interviews as a research method/tool and the role played by the researcher in the study. Section four focuses on the realities of fieldwork. The fifth section presents the ethical dilemmas and practical challenges in conducting the research. The final section focuses on the limitations of the study drawing on useful lessons from the fieldwork.

4.2 Research aim and questions

The research study aims to explore the cultural conceptualisations and understandings of child fostering and the concept of the child’s best interests among the Dagomba of northern Ghana. Specifically, the research seeks to answer the following research questions:

1. How do the Dagomba understand and practice the fostering of children?
2. How do the Dagomba conceptualise the best interests of the child in the fostering of children?
3. What are the policy challenges of RQ1 and RQ2 in Ghana?

4.3 Epistemological issues

Epistemology is the inquiry into the conditions, paradigms, and limits of knowledge, including the nature of truth claims and the historical contexts that have shaped human

inquiry (Bryman, 2004b). Research philosophies differ on the goals of the research and the way to achieve these goals. A key divide running through many arguments over epistemology distinguishes those who approach social life with an effort at understanding the meanings and interpretations that social actors give cultural phenomena (constructivism), and those who approach it as a matter of objective knowledge and evaluate the success of their research in part by measuring how closely the findings of different researchers match (positivism). There are also those who now see the need to attempt to combine the two perspectives in order to overcome the demerits of either and/or both (Bryman, 1992). This research was informed by a constructivist approach for basic reason that fully understanding the assumptions that underpin the approach gave me confidence to build on the strengths and offset the weaknesses of the approach.

Constructivism is a theory of knowledge (epistemology) that argues that humans generate knowledge and meaning from interactions between their experiences and their ideas, readily acknowledging the existence of multiple realities in the form of multiple mental constructions socially and experientially, as well as the local and specific (Guba and Lincoln, 1994). Constructivism asserts that the construction of reality does not exist outside of the individuals who create and hold them since each individual possess different values (Guba and Lincoln, 1994). The approach thinks of research findings as being inevitably shaped by the interaction between the researcher and the researched. The approach, rather than deny the influence of the researcher on what is studied, encourages the monitoring of the impact the researcher has on the research. Researchers are active participants in the research; their personalities, their knowledge, their curiosity, and their sensitivity all impact the quality of the work (Bryman, 2004b). Constructivism therefore emphasises the researcher's self-awareness.

Constructivism is critical of positivism, arguing that the positivists' search for generalisable rules and their focus on quantification ignores matters that are important but not easily counted and denies the complexity and the conditional nature of reality (Guba and Lincoln, 1994). Constructivists accept that there is a reality but argue that it cannot always be measured directly; rather, it can be perceived by people, each of whom views it through the lens of his or her prior experience, knowledge, and expectations. People's lens affect what they see and how they interpret what they see. Knowledge is therefore not objective according to this school of thought; instead, it is always filtered through individuals' subjectivity.

Constructivism results in what is termed as the relativists' ontological position and, depending on the author, its core principles can either be referred to as 'interpretive' (Schwandt, 1998) or 'naturalistic' (Guba and Lincoln, 1994). This epistemological posture favours qualitative research (where a complex and contextual understanding is more often the aim), over quantitative research. It also has implications for the design of the research emphasising the importance of some characteristics over that of others. For instance, building explanations from the ground up, based on what is discovered instead of testing theories and discovering general principles (Bryman, 2004b).

Finally, constructivism appealed to me as an approach because it emphasises the importance of context, of complexity, of examining situations in which many factors interact (King and Horrocks, 2010). It places the focal point of understanding and learning on what respondents make of the world around them, how respondents interpret what they encounter, and how they assign meanings and values to these events.

4.4 Doing qualitative research

Qualitative research, by definition, is empirical research where the data are not in the form of numbers but instead the research involves a process of data collection and analysis of information in many forms, chiefly non-numeric (Punch, 2014). Qualitative research also implies a direct concern with experience as it is 'lived' or 'felt' or 'undergone' and tends to focus on exploring, in as much detail as possible, smaller numbers of instances or examples which are seen as being interesting or illuminating, and aims to achieve 'depth' rather than 'breadth' (Blaxter, Hughes and Tight, 2002; King and Horrocks, 2010; Howe and Eisenhart, 1990).

The approaches to qualitative research can also either be inductive or deductive (Howe and Eisenhart, 1990). While a deductive approach is aimed at testing theory, usually begins with hypothesis, and places emphasis on causality; an inductive approach is concerned with the generation of new theory emerging from the data, uses research questions that are narrow in scope and focuses on exploring new phenomenon or looking at previously researched phenomena from a different perspective. Inductive reasoning begins with observations that

are specific and limited in scope, and proceeds to a generalized conclusion that is likely, but not certain, in light of accumulated evidence. In other words, inductive approach moves from the specific to the general, while deductive moves from the general to the specific. Other key characteristics of a qualitative research are that it is subjective and produces ‘soft/deep data’ (Bryman, 1998; Neuman, 2013). Qualitative research also covers specific (contextual) population (King and Horrocks, 2010).

This study adopted such a qualitative approach to explore Dagomba child fostering with the aim to uncover the cultural conceptualisations and understandings of child fostering and the concept of the child’s best interests among the Dagomba of northern Ghana. The study also examines how far existing legislation and policies in Ghana support the practice and the challenges facing existing legislation and policies. It is exploratory, descriptive, and inductive hoping to bring the researcher closer to respondents’ experiences. Finally, it aims to produce valid, real, rich and deep data which will be interpreted as subjective views of research participants, and will not be used to make generalisations (Bryman, 1998). The research applies to a specific locality or social setting – the Dagomba of northern Ghana and should be judged more on its freshness – that is, its ability to discover new themes and new explanations – than on its generalisability. It should also be evaluated for its richness, vividness, and accuracy in describing complex a situation or practice. The quality of evidence that supports the conclusions is important, as are the soundness of the design and the thoroughness of the data collection and analysis. It trades breadth of coverage for the depth of understanding – an holistic understanding of specific context. The researcher was also highly reflexive about how the research was approached, allowing an active and flexible involvement with research participants and sought to share the meanings of the research findings with the respondents.

4.5 Research design

The research design was a cross-sectional (Babbie, 2010) study of cases. This choice was made based on the four main considerations suggested by Blaikie (2006): the purpose of the study; the time span over which data was to be collected; the form of data analysis; and resource availability. Cross-section research design also has the added advantage of allowing comparison between many cases (Gray, 2000). In this study, data were collected from a

sample of 42 respondents across three groups – children and young people; parents and professionals. Foster children and young people were involved because the researcher needed to get the perspective of their own experiences of being fostered and how fostering impacted on their best interests. Their inclusion can advance understanding of how they develop and live their lives, it can contribute to theoretical debates, and its outcomes can impact directly on the lives of those researched and others in similar situations (Lewis, 2004). A similar reason was considered before including both birth parents and foster parents. Finally, professionals were considered because each agency selected help in shaping policies for children and young people in Ghana. A participant from such agencies was interviewed to get their perspective. The data were collected within a period of seven months – that is, from November, 2012-June, 2013.

Although research with only adults seemed easier and respondents considered reliable, with fewer ethical issues, the sociological assumption that children make sense of their situation made the case for their inclusion (Punch, 2002). The research also recognised as problematic, the question of having to work with adult accounts of children's experiences without balancing this with accounts of children and young people (Punch, 2002). The researcher also considered the value of longitudinal work; however the time frame was against this.

4.5.1 Selecting research sites

Blaikie (2010a) describes qualitative data gathering as a messy and an unpredictable process. This assertion was particularly true for this research, primarily because of the lack of comprehensive data about the targeted research participants in the given research context. This section explains the decisions that were taken in doing the research including: (a) the selection of the particular schools, as a means to access child respondents; (b) the characteristics of the respondents by such characteristics as age, ethnicity, gender, location and religion; and (c) the use of personal contacts and connections to access research sites and respondents. The resulting limitations of the use of personal contacts and connections in the research are duly acknowledged.

First of all, I took the decision to do the research in Tamale city because children and young people normally migrate from rural to urban centres where there are better facilities to attend

school. As the regional capital, the city has better educational and social facilities compared to other towns and villages within the region. This would have attracted more children and young people compared to any other town or village. This decision does mean the experiences of those fostered in more rural areas are not captured in this research.

Secondly, aware that research sites affect the quality of response and the recording quality, I made the decision to recruit children and young people through schools. I went through schools because, although some children are not in school, most children of school-going age are in school in Tamale (GSS, 2010). It also meant I could access the required number of research participants conveniently at the same venue. In my choice of particular research sites, I was looking for schools that would assist in recruiting a diversity of children and young people to help answer the research question. The selection of schools was also to cover the age range in the research – that is from 11-25. The potential problem of going through schools, however, was that some children outside the age bracket of 11-25 and those outside school were missed.

Thirdly, there was no way to decide which schools had more foster children than others. So, in theory I could have gone through any school in Tamale to recruit participants. However, gaining access to schools proved difficult since the period of my fieldwork coincided with admissions into Senior High School (SHS) and most Heads of such institutions were extremely busy. I choose to go through Kalpohin Senior High School and Bagabaga Junior High School because as a trained teacher and someone who knows Tamale well, I relied on my networks to access these schools. At Kalpohin Senior High School, I was introduced to the Assistant Head by a colleague and that aided my entry upon submission of an introductory letter from the university and consent forms. The entry into Bagabaga Junior High School was less of a difficulty. In both cases, my personal contacts aided access but otherwise did not bias the recruitment process. The schools were a means to access foster children and young people but were not of research interest in themselves.

4.5.2 Selecting participants

The recruitment process sought voluntary participation. The recruitment process for children and young people, in both schools, involved my contact persons taking me through classes

and I spoke about my research to students and asked for volunteers. Many children and young volunteered on their own volition and did not seem under any duress to participate. Those who volunteered were screened based on the following factors.

Ethnicity: Ethnicity mattered because the research aimed to explore fostering among a specific ethnic group – that is, the Dagomba. Therefore, children and young people were all Dagomba.

Age: Age was an important factor because among the Dagomba, anyone with a father/mother alive is technically a child regardless of the numerical age. The decision to limit the age bracket to children of between 11-25 years was therefore taken based on the average age range of children and young people in junior and senior high schools in the northern region of Ghana. It was also hoped that such a wide age range would produce diversity in terms of participants' experiences since their intellectual and emotional development will vary considerably. (Although in fact, differences by age were not found to be of analytical significance).

Location: Location was also considered as a factor for two reasons – one, the researcher did not want any two child participants to come from the same family or location (because of issues of confidentiality and anonymity of data) and, two, participants needed to have both birth and foster parents within a 'reachable' distance – a practical reason to enable the researcher to access all participants in order to conduct interviews.

Gender: Gender was a factor in the case of children and young people because child fostering among some societies in sub-Saharan Africa is gendered – that is, gender roles of children and young people could be a reason for families to foster in and/or out of these children and young people (See Chapter 2, above).

Religion: Religion was considered because the Dagomba are a highly religious people (Mahama, 2004). An effort was therefore made to get views from the two main religions – Islam and Christianity -- although not equally since the Dagomba are predominantly Muslims.

Socio-economic status was not a criterion for recruitment, partially as this would be more difficult to screen volunteering children and young people for. The school did have students coming from a range of socio-economic situations; similarly, this could be surmised from the remarks made by children and young people about their foster families in interviews. Thus, the study did have children and young people involved, who came from a range of socio-economic circumstances, but this was not a criterion for recruitment – nor did it prove a major theme to explore in the analysis (See Section 4.5.6 for process of analysis). Given the study was undertaken in school, children and young people from the most disadvantaged foster families were likely not involved because despite state support, going to school remains an indirect and direct economic cost to families.

The recruitment of parents was a derivative of participating children and young people. This made their recruitment process different and a lot less bureaucratic, although factors such as ethnicity and location were key in their recruitment. Ethnicity was significant because the research was about the Dagomba and location for practical reasons. Both mothers and fathers were sought as parental respondents to balance any gendered stereotypes that can exist in fostering research. The willingness of both parents to participate in the research was another factor that considered in recruiting children and young people.

Finally, professionals were recruited on the basis of their knowledge, expertise and experiences working with children and young people. It was not possible to be able to gain Dagomba representatives from all the relevant policy making bodies. An exception was therefore made to consider those with knowledge of the Dagomba culture and familiar with their fostering system. Gender was not a criterion for selection of professionals; instead, professionals were chosen on the basis of their policy focus and position. The head of the organisation was first contacted in each organisation, department or agency. Those who felt they had enough knowledge and expertise, and had the time, volunteered to participate. In other cases, I was re-directed to their colleagues in the office who were deemed to have the requisite knowledge and expertise of child fostering. A representative each was selected from the following organisations: Ministry of Justice (MoJ); Department of Children (DoC); Department of Social Welfare (DoSW); United Nations International Children and Education Fund (UNICEF); the Ghana NGO Coalition on the Rights of the Child in Ghana (GNCRC); Christian Council (CC); Muslim Council (MC); Ghana National Media Commission (GNMC); and a traditional ruler (TR).

The MoJ, DoC and DoSW were selected because they are the key government agencies in terms of policy delivery regarding children and young people in Ghana. UNICEF was selected because of its influence on the legislative and policy framework on children and young people in Ghana as an international non-governmental organisation. The GNCRC is an umbrella body of local non-governmental organisations in Ghana that work on the rights of children and young people. It was therefore selected to offer a perspective of local NGOs. The Christian and Muslim Councils were chosen to provide a religious perspective of fostering because religion was an important factor in the selection of children and young people. The GNMC publish stories about child fostering in both print and electronic media. They were therefore selected to hear their perspective. Finally, the traditional ruler (a representative of the chiefs in Dagbon) was selected because chiefs are seen to be custodians of the culture of the people. It was therefore considered important to bring into the research the perspective of a TR from the Dagomba traditional area.

4.5.3 Sampling process

Literature on sampling in qualitative research suggests that an appropriate sample size is one that adequately answers the research question (Blaikie, 2010b). I adopted a purposive sampling technique that involved the intentional selection of respondents to represent particular characteristics. Purposive sampling is defined as a form of non-probability sampling in which decisions concerning the individuals to be included in the sample are taken by the researcher, based upon a variety of criteria which may include specialist knowledge of the research issue, or capacity and willingness to participate in the research (Jupp, 2006). The goal of using a purposive sampling technique was not to determine prevalence or incidence but to explore the research questions with participants who would be most likely to contribute appropriate data, both in terms of relevance and depth.

In terms of numbers, there are various factors that can determine the sample size in qualitative research. Mason and Dale (2011), for instance, advises that qualitative samples must be large enough to assure that most or all of the perceptions that might be important are uncovered, but at the same time if the sample were too large, data become repetitive and, eventually, superfluous. Similarly Strauss and Corbin (1990) also advise against reaching a

point where the data collection process becomes counter-productive. The aim and research questions of the study are the ultimate driver of the research design, and therefore the sample size (Charmaz, 2006; Creswell, 1998). I was also mindful about the fact that my PhD was a 3 year funded programme, so I did not have the luxury of engaging in open-ended research in terms of time.

I therefore ensured that my research proposal was thorough and included a description of who, and how many people, will be interviewed at the outset of the research (Ritchie, Lewis and Elam, 2003). Although the number for children and young people was exploratory, I had set criteria and wanted certain diversity within that set criteria. For instance, I knew I was interested in interviewing children and young people, their parents as well as relevant professional bodies, from the onset. There were therefore constraints on the number of children and young people I could practically involve in the research. I therefore proposed between 8-12 children and young people be recruited – and, through the purposive sampling process, I was able to achieve this. Because for every child or young person included there were two sets of corresponding parents (birth/foster), I first of all established a minimum threshold and upper limit in an attempt to create a suitable diversity across the desired criteria and to determine the appropriate sample size. Under eight children and young people was considered too small a sample size because that would not have generated sufficient data and above twelve children and young people would have resulted in too many interviews to manage. It therefore appeared that either ten or twelve children and young people were the optimum limits in order to generate a manageable number of interviews. Interviewing ten children meant a corresponding number of twenty parents and interviewing twelve children meant a corresponding parent population of twenty-four. Additionally, the research sample also included nine policy makers across diverse child policy making institutions in Ghana. The researcher therefore settled on twelve children and young people. This resulted in a total sample of 45.

Although a total of 45 research participants were recruited, 42 were interviewed. The researcher could not manage appointments with the three respondents either due to the nature of their work or personal reasons. For instance, two were in business and were always travelling from one place to the other. The other respondent had travelled outside the research area and had not returned by the time the researcher had finished fieldwork. The entire recruitment process and data generated provide the needed depth and richness for analysis

and to address the research questions. Table 2 below provides a summary of characteristics of the research sample.

Table 2: Research sample

Case/Category	Number sampled	Religion	Ethnicity	Location	Age
Children and young people	12 (6 boys and 6 girls)	2 Christians, 10 Muslims	All Dagomba	Tamale	11-18 years (3 boys and 3 girls) 19-25 years (3 male and 3 female)
Parents *	21 (10 birth parents – 6 mothers and 4 fathers – and 11 foster parents of participating children and young people: 5 foster mothers and 6 foster fathers)	4 Christians, 17 Muslims	All Dagomba	18 Tamale, 3 outside Tamale	-
Professionals	9 (a participant from each of the 9 agencies that work with children and young people in Ghana)	5 Christians, 4 Muslims	5 Dagomba 4 Non-Dagomba	5 Tamale, 4 Accra	-
Total	42				

* Despite my attempts both sets of parents, it was mostly only one birth parent and one foster parent for each child I managed to interview.

4.5.4 Data collection

Blaikie (2010b) conceptualises data collection as the systematic gathering of information relevant to the research purpose and, as Mason and Dale (2011) advise, this must be appropriate to the research questions. Given the appropriateness of a qualitative research design, the researcher decided to use in-depth interviews to search for underlying themes of the investigation given its aims and objectives. Other different qualitative research methods could have been used for data collection – such as focus group discussions or participant observation. The researcher however chose in-depth interviews as the main research instrument for the following reasons: firstly, interviews protect the privacy of respondents; secondly, it allows respondents to share sensitive issues that they might not otherwise raise in focus groups; and thirdly, it offers respondents the opportunity to be reflective in their responses. In-depth interviews were also considered most appropriate for the research because I was interested in asking open-ended questions that elicit depth of information from relatively few respondents and allow the interviewer to explore deeply the respondents' feelings and perspectives on a subject. This results in rich background information that can shape further questions relevant to the topic. The overarching aim was therefore to search for meanings and understandings from the respondents about child fostering, children's best interests and matters relating to policy (See Appendix II). Interviews were also thought to be culturally appropriate because the Dagomba tradition and culture does not frown on people asking questions in order to learn about them, their culture and traditions.

Children and young people were given the choice to be interviewed either in school or at home. They all chose to be interviewed in their schools, rather than in their homes. In Dagbon, the home is considered an adult space where children may have less control (Mahama, 2004). Further, interviewing children at home might create an atmosphere in which they will try to please their parents or may fear their parents' reactions to what they say (Punch, 2002 – reporting on research undertaken in rural Bolivia). Therefore, their choice to be interviewed in schools confirmed the literature. Time was invested to form a relationship and gain their trust. Usually the researcher went round with the child or young

person until a place within the school environment was identified as the most convenient place for each interview session. The various locations used included empty classrooms and isolated places under trees. These locations helped avoid interruptions and to ensure confidentiality. On occasions when there were interruptions during interview sessions, these were normally due to external factors such as phone calls or by another person. Interviews were normally paused and only continued when the external interruption was over to ensure the confidentiality of the interview.

Parents and policy makers were interviewed at home or their work places. The interview timings were not straightforward since some participants cancelled originally scheduled interviews due to other commitments. There were also interruptions during interview sessions. The researcher always stopped the interview session and waited till the respondent was free to continue with the interview.

Before each interview, I always explained to the research participant the objective of the research, research ethics and their rights. Research participants were reminded that they could refuse to answer any questions they did not find comfortable discussing or decide to stop the interview. All 42 respondents were given the opportunity at the end of the interview session to withdraw anything they did not feel comfortable with me writing about in my thesis. They were also always given the opportunity to make comments they felt were relevant to the topic that the researcher did not ask. I then reiterated the point, to the participants that the interviews were confidential and that data would be anonymised. Each participant had at least one interview session that lasted about an hour. In the case of children and young people, there was a separate session during which the 'spider diagram' was used with them individually.

This 'spider diagram' was used as a supplementary research tool, which consisted of a sketched spider with outstretched legs on a piece of paper. Each respondent was given two spider diagrams: one diagram had the phrase 'child fostering' in the centre of the spider, while the other diagram has the phrase 'best interests of the child' in the centre. Children and young people were invited to write on the spider's legs points that were considered important to them on that particular topic. This approach complemented the interviews conducted. Indeed it helped in gathering information about children and young people that was not captured through the spoken part of the interviews. The spider '*Kpadindariga*' or

'Kusombele' is popular in most Ghanaian tales and storytelling. It was thought to be fun and age-appropriate to help them tell their stories. It resonated well with all age groups and engaged the participants in talking about the research questions.

4.5.5 Data presentation

Data are presented in cases using the themes that emerged after coding and categorising based on terminology from the literature review: this helps in patterning data, data preparation and data reduction. Data preparation involved transcribing individual interviews into text and for interviews that were conducted in the local language (Dagbani); such data were translated into English language during transcription. Data reduction on the other hand was treated as a process that started during research design, continued during data collection, and was to end during analysis (Huberman and Miles, 1983). It is what determines what kind of analysis is possible or perhaps even constitutes an analysis in itself and is usually part of the entire research process and not a specific event (Huberman and Miles, 1983).

There were two principal considerations in reducing data in order to guide against poor quality data: one, the process should not unduly distort or oversimplify the data and, two, it should leave room for a wide range of alternative analytic approaches including a realistic possibility of reducing the same data set in ways other than those initially tried. The key stages of the reduction process included: conducting and transcribing interviews at the same time – this helped to guide and direct the researcher indicating where to focus and flagging which research questions remained unanswered. Use of interim site summaries and memoing had the potential value as a cognitive activator and as a stimulus to sharper focusing of data collection. The outlining of the latter involved dealing systematically with each research question and specifying the data associated with each research question and through data coding which was initiated at the end of data collection and carried out manually by the researcher. This helped in identifying core themes, shedding light on theoretical components, identifying potential sources of bias and setting the agenda for subsequent analysis.

4.5.6 Data analysis

Thematic analysis was used to interpret the data. This involved the identification, examination and interpretation of themes in textual data and asked how these themes helped answer the research questions. Thematic analysis is an ongoing, fluid, and cyclical process that happens throughout the data collection stage and carries over to the data entry and analysis stages (Bryman, 2004a). The following steps were adapted from the work of Braun and Clarke (2006) but modified to suit the needs of my research. Although the steps are somewhat sequential they did not always happen in isolation of each other – I moved between and within the steps of analysis.

The first step was processing the data: This involved immediately transcribing the recorded interviews as soon as data were collected. This was done together with the detailed notes I managed to write during and shortly after the interviews. The notes included: things that particularly struck me as novel or important; time/date details; and other observations and highlights from the interaction. I felt it was important to do this while the interaction was still fresh in mind so that I could record my thoughts and reactions as accurately as possible.

The second step was generating initial codes: This began after reading and familiarising myself with the data. It involved generating an initial list of ideas (codes), based on answers to my research questions which in themselves were derived from the theoretical and research literature review (Chapters 2 & 3) (Boyatzis, 1998). In coding, I also sought to be sensitive to points raised in the data.

The third step was searching for themes: Themes capture something important about the data in relation to the research question, and represent some level of patterned response or meaning within the data set. The importance of a theme is not necessarily dependent on quantifiable measures – but in terms of whether it captures something important in relation to the overall research question. This step was significant because it helped to refine the initial codes by putting them together into a more meaningful form.

The fourth step was reviewing themes: Once a set of themes emerged, I then sought to refine them. I relied on Patton's (1990) dual criteria for judging categories – internal homogeneity and external heterogeneity. Data within themes needed to cohere together meaningfully,

while at the same time there needed to be a clear and identifiable distinction between themes. I also looked for data that would ‘test’ the themes, in terms of being apparently contradictory. This sometimes required adaptation or refinement of themes.

The fifth step was (re)defining and naming themes: This involved identifying the ‘essence’ of what each theme is about (as well as the themes overall), and determining what aspect of the data each theme captures (See Table 3 below).

Table 3: Themes for data analysis

Major themes	Sub-themes
Fostering: understandings, issues and challenges	Understandings and terminologies
	Reason(s) fostered out
	Reason(s) fostered in
	Importance of fostering
	Terms and conditions
Child survival and development	Fostering and child development <ul style="list-style-type: none"> - Variables/determinants - Aspects of child development
	Fostering and child survival <ul style="list-style-type: none"> - Variables/determinants
Discrimination/non-discrimination	Discrimination/non-discrimination <ul style="list-style-type: none"> - At the time of fostering - While with foster parents
Children’s voice: issues and challenges	Voice/voicelessness <ul style="list-style-type: none"> - At the time of fostering - While with foster parents - Who determines it? - What happens when there is a clash of voices/voicelessness
Best interest of the child (BIC)	BIC: meanings and terminologies
	BIC: experiences of children and young people
	BIC: determining factors
Policy and legislative issues	Policy and legislative awareness
	Policy suggestions

The final step was producing the analysis: This came after themes were identified, assembled, organised, and compressed into a table that facilitated the identification of findings. The format of this helped to arrange and think about the data in new ways and assisted in identifying systematic patterns and interrelationships across themes (Miles and Huberman, 1994). Through this process I was able to identify patterns and relationships observed within groups and across groups. I was thus alive to differences between groups' perspectives – such as foster parents in comparison to foster children – as well as similarities across the groups. Data were then triangulated to highlight points of convergence, divergence, and complementarity. Data triangulation is a technique that facilitates robustness of the data through cross-verification from two or more sources (Bryman, 2004a). For instance, the researcher interviewed children and young people, parents and policy makers. Triangulating their views on particular research questions helped paint a holistic picture about the phenomenon. The benefits of triangulation include: increasing confidence in research data, creating innovative ways of understanding a phenomenon, revealing unique findings, challenging or integrating data, and providing a clearer understanding of the problem (Bryman, 2004a).

The final step sought to tell the complicated story of the analysis in a way which convinced the reader of the merit, robustness and systematic nature of the analysis. It was important to do this because the analysis needed to be a concise, coherent, logical, non-repetitive, and interesting account of the story the data told – within and across themes. In order to draw reasonable conclusions, I needed to: step back and interpret what all the findings meant; determine how my findings helped in answering the research question(s); and draw meaningful implications from the findings (Krathwohl, 1998; Miles and Huberman, 1994). To verify these conclusions, I revisited the data (multiple times) to test and confirm the conclusions drawn.

4.6 The search strategy

A three-step search strategy was used to identify published and unpublished studies relevant to the topic, reported in English from 1957-2014. My search of databases and the internet started with the keywords contained in the title of the research topic. I read the abstracts of papers and books that came up during my initial search, which helped in guiding my selection

of the terms that needed to be included as part of the definitive search strategy within the identified period (See below). The period 1957-2014 was selected in order to include all relevant studies about fostering in Ghana since the country became an independent state.

My second step was a more extensive search, undertaken using the identified terms within the research topic, across relevant and accessible databases and internet searches including: *Africa Bibliography*, *African Journal Archive*, *African Journals Online (AJOL)*, *African Studies Abstracts*, *African Studies Combined Database Search*, *Africa-Wide Information*, *ELDIS*, *Google*, *Google Books*, *Google News Archive Search*, *Google Scholar*, *JSTOR*, *PsychINFO*. The third step then included a hand-search of the reference lists and bibliographies of all potential studies highlighted in step two, in order to identify any other relevant resources that had otherwise been missed. This hand-search provided access to several journals including; *Africa Spectrum*, *Child and Family Social Work*, *Human Organisation*, *Human Rights Quarterly*, *International Journal of Law*, *International Journal of Law and the Family*, *Journal of Development Studies*, *Journal of Human Resources*, *Journal of Social Development in Africa*, *Policy and the Family*, as well as *Law and Society Review*. I also benefitted from personal contacts during fieldwork, and my supervisors, for further suggested references.

As described above, the search started through the use of keywords such as: foster, fostering, foster child, and child fostering. These key words were entered into the database searches with variant terms, as the concepts were often embedded within resources catalogued under various alternative phrases such as parenthood and ‘children living arrangements’. I then sifted through the identified sources, to ensure they met the criteria of geography, time period and relevant focus and to judge research rigour. For instance, certain NGO reports were found to be insufficient in methods and/or analysis and were excluded. Only studies that were deemed to have met the above inclusion criteria were retrieved and reviewed. The table below provides a summary of the key studies there were reviewed in relation to child fostering.

Table 4: Key studies used in literature review

Key studies	When	Location of research	Researcher(s) (insider/outsider)	Academic discipline	Methodology	Relevance to the thesis
‘Traditional kinship foster care system in northern Ghana: The experience and views of children, carers and adults in Tamale’	2009	Tamale – northern Ghana	Ahmed Bawa Kuyini et al. (Insiders and outsiders)	Development studies	Mixed method using self-report and interviews (Closed and open ended questions)	It was conducted within the same catchment area although it included fostering among other additional ethnic groups in northern Ghana.
‘A CHILD HAS MANY MOTHERS’: views of child fostering in north-western Cameroon	2005	North-western Cameroon	Heidi Verhoef (Outsider)	Social anthropology	Qualitative using in-depth interviews	The study examined how children are fostered in one urban community in north-western Cameroon. It provides understanding and description of children and young people’s personal experiences of fostering.
<i>History and Traditions of Dagbon</i>	2004	Tamale – northern Ghana	Ibrahim Mahama (Insider)	History	Qualitative using document analysis and interviews	This provided insights on the history and culture of the Dagomba including how the Dagomba foster their children.
<i>Parenthood and Social Reproduction</i>	1982	West Africa (including northern Ghana).	Ester Goody (Outsider)	Social anthropology	Qualitative using ethnography	Sections of the study paid special attention to patterns of child fostering in West Africa.
‘Some theoretical and empirical aspects of parenthood in West Africa’. In C. Oppong, (ed) <i>Marriage, Fertility</i>	1978	West Africa (including northern Ghana)	Ester Goody (Outsider)	Social anthropology	Qualitative using ethnography	The study highlighted two major features of parenthood in West Africa - parent-child relations and the

and Parenthood						delegation of parental roles to others. It also identified and explored types of fostering including crisis, voluntary, educational, and apprentice fostering.
‘Delegation of parental roles in West Africa and the West Indies’. In T. R. Williams, (ed) Socialization and Communication in Primary Groups	1975	West Africa (including northern Ghana).	Ester Goody (Outsider)	Social anthropology	Qualitative using ethnography	This study provided ethnographic literature on West Africa with many references to the sending of children to their kin to grow up away from their own parents.
<i>Contexts of Kinship: An Essay in the Family Sociology of the Gonja of Northern Ghana</i>	1973	Northern Ghana	Ester Goody (Outsider)	Social anthropology	Qualitative using ethnography	The study examined the several aspects of marriage fundamental to the establishment of domestic groups and their development. It also explored the practice of sending children to be raised by kin and how important the practice is in building strong ties among the kin however far apart they lived.
<i>Growing up in Dagbon</i>	1973	Northern Ghana	Christine Oppong (Outsider)	Social anthropology	Qualitative using ethnography	The book addressed the Dagomba fostering

The above studies, summarised in Table 5, show relative strengths and weaknesses. As detailed above, the studies are predominantly qualitative, allowing for in-depth research findings. Most were ethnographic, which provided particularly rich information, but due to their geographic focus did not include foster children who had moved some distance away. Further, the studies collectively have four gaps, which my project proposed to fill. First, none of the studies included children and young people who had been fostered, their birth and foster parents, and professionals. For example, Verhoef's study included children and young people but not parents nor professionals; Kuyini and colleagues' study included parents as well as children and young people, but not professionals. All the other studies did not explicitly include the direct views of children and young people. By not including all these groups, each of the key studies is missing pertinent perspectives to understand child fostering.

Second, some studies are very applicable but out of date. For example, Oppong explicitly addressed child fostering by the Dagomba; however, the research was published in 1973. Given the changes in Ghana (e.g. the ratification of the UNCRC and subsequent children's legislation) and amongst the Dagomba people (as discussed in Chapter 2), findings from over forty years ago risk being out of date. Goody's work is also squarely on child fostering and within the relevant geographical area, but it is dated in its empirical research. Third, only Oppong's and Mahama's studies are explicitly focused on the Dagomba. Other, more recent studies either cover other cultural groups (e.g. Goody and Verhoef) or are unclear about which cultural groups were involved in their studies (e.g. Kuyini and colleagues). Fourth, not all studies are accurate in their descriptions of the cultural processes and practices, which may be due to the researchers not having 'insider' knowledge. All but two of the studies were conducted by 'outsiders' and thus risk missing or misinterpreting certain cultural nuances of the practice. For instance, although Oppong's work is considered pioneering on child fostering amongst the Dagomba, her work is limited in the description of some of the processes involved in the practice. Thus, while the studies provide certain illuminating findings, none of them covered the ideal range of perspectives, nor the particular cultural and geographic coverage, that this project seeks to cover.

Given the paucity of relevant, current studies, I needed to make use of my insider status to assist in understanding the data and analysing it. While the limited nature of the literature made my job harder, because of the potential risk of being uncritical and unreflective in my writing up, it nonetheless highlighted the need for more up-to-date research on the subject

matter. I have also sought to build such reflections and critique my writing within the data findings chapters.

4.7 Research limitations

The context and culture of the Dagomba in Ghana are unique and therefore lessons for other contexts and cultures must take account of variance and not simply be transposed. Any generalisation from this research will therefore need re-contextualisation. Also, although the respondents cooperated fully with this research, the researcher depended on trust and the belief that respondents knew their culture and were honest in their answering of questions. While children and young people as well as professionals considered the researcher an insider, parents saw him an outsider. Both had its practical implications – being seen as an insider meant research respondents assumed that the researcher knew a lot. I took time to explain to everyone that it was more about them rather than me. Being seen as an outsider meant parents took their time to explain the basics and were elaborate in their answers. The cumulative effect of the above limitations was mitigated however by conducting the research in a place where the researcher was considered an insider and interviewing three different case categories, allowing data triangulation.

Finally, the geographical distance between fields of study (Tamale and Accra) and the time available at the disposal of the researcher were considered as limitation, since with more time and resources additional material could have been generated, enabling further triangulation (See the choice of location and its implications under Chapter Two).

4.8 Challenges of doing the research

This section highlights the ethical and practical challenges encountered during the conduct of the research.

4.8.1 Ethical challenges

Researching children can be an intrusive process in many ways and requires on the part of the researcher the need to be guided by ethical guidelines and codes (Lindsay, 2000). Ethical guidelines and codes are either, explicitly or implicitly, principles derived from ethics and/or principles of morality which provide limited specific guidance on the subjects and are always a useful starting point (Lindsay, 2000). Ethical considerations in research are always a challenge but it becomes an even extra responsibility when participants include children and young people (Stanley, Sieber and Melton, 1995), because there are cultural differences in ideas about the age at which it is appropriate for children to be asked about certain experiences.

A respect for children's views and a concern for their safety demands sensitivity to ethical issues in conducting research (Punch, 2002). As King and Churchill comment, ethical principles for research with children 'do not always yield final or uncontroversial answers, but they do serve to clarify and justify decisions' (2000: 710). Considerable efforts by social scientists have contributed to an emerging consensus regarding good practice in this area. Standard ethical guidelines will include, first and foremost, adhering to the research ethics requirements of one's country, institution, and/or discipline. In conducting this research there were a number of daunting ethical dilemmas. Resolving ethical dilemmas required careful planning and seeking further guidance and clarification from supervisors. In particular, the research was faced with the following ethical challenges.

Seeking informed consent: Lindsay maintains that issues of informed consent remains a key ethical issue in research especially research involving children (Lindsay, 2000). Although in Ghana, legally obtaining consent from parents or gatekeepers alone is considered sufficient, it is surely the case that if one is to question or observe the child, obtaining consent from the child is practically and morally appropriate even if not legally necessary (King and Churchill, 2000) - a task that depends on the age of the child. The researcher's challenge first of all was to be able to identify whose consent was to be considered valid for children and young people. Possibilities included school authorities, birth parents and/or foster parents. Customarily, it is the foster parent who takes the responsibility for the child and foster parents would have been the appropriate group to seek consent from if the research was not to involve birth parents. However, because views of birth parents are important to the research

and for the avoidance of any potential conflicts, the researcher sought the consent of both birth parents and foster parents. Parents therefore gave joint consent – one for children and young people to participate and the other confirming their own participation. This was done for all participating children and young people in line with the local cultural expectations that children and young people who live under the roof of a parent should have the consent of such parent.

There were a few challenges regarding obtaining consent from some parents – particularly supporting the use of the audio-recorder. These challenges were resolved by the researcher taking time to explain the overall purpose of the research and its main features to parents. All parents gave their consent once they were assured that the research is primarily for academic purposes. Parents had the option to either give written or verbal consent. Verbal consent was audio-recorded, while written consent involved signatures or simply writing of name. Children and young people were also issued with consent forms which they had to sign and return before being interviewed. Professionals also gave verbal consent which was audio-recorded.

Participant identification in the data and issues of anonymity: The question of how to identify research participants without compromising their identities was both an ethical and a practical challenge. It was considered an ethical challenge because it raised an issue of guaranteeing participants' anonymity and a practical one because individual participants necessarily had to be identified appropriately in one way or the other in the transcribed interviews and field notes protecting their identities.

The researcher's decision was to identify children and young people and their parents by the use of pseudonyms other than their real names because particular care needed to be taken in reporting data that includes identifying features (such the name of the school/city). This exercise was done systematically in order to guarantee consistency and coherency. In the case of professionals, a participant from each selected institution was involved and so talking about the input of such institutions in the research would necessarily identify such individuals. Therefore, there was no guarantee made for anonymity for professionals. This was highlighted in the consent procedures of the research.

Issues of confidentiality: All research participants except the professionals were guaranteed confidentiality but only to the extent that there were no child protection concerns. In particular, children and young people as well as parents were made aware that in cases where a participant disclosed a child protection issue or anything that was of potential harm or danger to a child or young person, such information would be passed on to the appropriate authority. Again this was to be done in accordance to the customs and traditions of the Dagomba. In schools, the head teacher was to be informed and the family head outside schools. Therefore, confidentiality in this respect was not absolute. Where participants were guaranteed absolute confidentiality was on the question of what is to be revealed about each participant to other participants - inadvertently, deliberately, or on request. The researcher made assurances to guarantee the confidentiality of participants on that, although there was no such issue.

Sensitive questions and the duty to protect children and young people: Sensitivity has been defined in relation to broader theoretical issues. For instance, Lee-Treweek and Linkogle suggest that sensitive research can be defined as ‘research which potentially poses a substantial threat to those who are or have been involved with it’ (2000: 4). Sensitivity is also seen in relation to threat, and may involve the potential costs of answering particular (sensitive) questions (Lee-Treweek and Linkogle, 2000). Considering the various ways in which sensitivity has been defined, it plausible to therefore argue that sensitivity can be context-dependent. Even though this research was not considered sensitive and the potential harm to participants was minimal, measures were put in place to accommodate any such cases, especially for children and young people who had to talk about themselves, their families and relationships. Sensitive issues required a tricky balancing act and appropriate referral sources were identified and professional help was available in case such services were needed. In schools, the researcher relied on the head teacher and, at home, the head of family.

Time, cost constraints and issue of reciprocity: There was always the potential that no two categories of participants resided in the same city or village. The research involved a lot of travelling to get to some participants. These travels undoubtedly incurred some financial cost as well. Financial cost was also incurred by way of acknowledgement or demonstrating appreciation of the time participants took off other obligations, and expenses incurred were settled by the researcher. Besides issues of research participants’ individual rights, a further

ethical responsibility arises from the power dynamics of the research process, namely that of reciprocity. Gaining information from research participants without giving something in return seemed to reinforce an underlying sense of the researcher's privilege - an inherent asymmetry in power, status, control, knowledge (Robson, 2000). To redress this, exercise books and pens were offered to children and young people in appreciation for volunteering to participate in the research and their valuable time. Parents and policy makers were offered 'guli' or cola, or its monetary equivalent, to thank them for taking time off work to grant interviews. The dilemma of offering 'guli' to influence participants and not being seen to be taking advantage of them by not offering it was a challenge. The traditional customary way of doing things was followed. The researcher employed a very flexible remuneration and/or reimbursements plan in strict accordance with local practices and these were comprehensively documented. Reciprocity may also occur in terms of the researcher, his funders' and the outcome of the research, in this case the production of a policy initiative in Ghana, this was also a matter for careful attention.

Other ethical issues included: the avoidance of deceit and debriefing participants about the purpose and outcome of the research. The issues above were subject to assessment and approval by the ethics committee of the University of Edinburgh.

4.8.2 Practical challenges

Negotiating access and issues of gatekeeping: According to Masson (2000), the enclosed nature of children's lives in families, in schools and in institutions means that they are surrounded by adults who can take on the role of 'gatekeepers' who, in turn, can control researchers' access and children's opportunities to freely express their views. Children should be clearly aware that they may drop out of the research whenever they wish – even during an interview – or that they may omit answering questions they feel uncomfortable about. This is very important when researching their experiences. Indeed some gatekeepers used their position to deny the researcher access even though the researcher made the effort to explain the aims and purposes of the research. In places where access was granted, the researcher together with gatekeepers, agreed on the steps necessary to guarantee the safety and wellbeing of participants. As a native of the research area, the researcher understood the sources and limits of each gatekeeper's power and this was a leverage to negotiate access to

children and to offer them the opportunity to choose whether to participate in the research or not.

Recruiting participants: The practical challenges tied to the recruitment of children and young people included: the delicate nature of working with children and young people; participants' concerns about issues of confidentiality; and possible fear on the part of participants based on possible rumours about the research (Robson, 1993; Yin, 1989). The researcher was very open with the research participants about the aims and purposes of the entire research project, who was involved in the research, how issues of confidentiality and anonymity as well as other ethical issues were to be dealt with and what the researcher intended to do with the data. Research participants were also always given the opportunity to ask questions for clarification on issues that were not clear to them. The researcher also kept a diary for personal reflective work. This reflective work helped the researcher in being reflexive throughout the research process.

Interruptions during interviews: Considering the social and cultural context of the research there was always going to be the highest possibility of interruptions during interviewing either by an external force or as a result of an interviewee's other personal commitments. Therefore, room was made for interview rescheduling on the research timetable in order to cater for such unavoidable practical exigency. On occasions when there were interruptions by outsiders, the researcher took steps necessary to protect the confidentiality of what had been discussed in the interview. At the least, the researcher stopped the interview process temporarily. Sometimes time was taken off to explain to the person or group of persons interrupting the need for privacy during the interview. Depending on the seriousness and length of interruption, the interview was either continued or rescheduled to a future date in consultation with the participant.

4.9 Chapter conclusion

This chapter underscores the importance of a clear research methodology, research design and methods to the outcome of a research. The role of the researcher, justifications for choices, the realities of fieldwork, limitations and gaps, as well as ethical and practical challenges of the research were also discussed. The methodology and design of the research

always has significant implications not only on how the research is conducted but also the outcome of the research. What informed my choice of methodology was that I was interested in exploring the cultural conceptualisations and understandings of the respondents on the Dagomba child fostering and the concept of the child's best interests. The approach placed emphasises on understanding and learning what participants made of the practice, how they interpreted what they encounter, and how they assigned meanings and values to these events.

There are many different research methodologies and there is no unanimity which is best – for instance, quantitative research emphasises 'objectivity' and qualitative encourages 'subjectivity'. I adopted the latter approach very much aware of all the other possibilities. It was a conscious choice because, as already noted, the proposed study was entering an unknown field in which participants' voices would be foregrounded (unlike the more ethnographical ones that had been undertaken to date). I also sought to achieve a depth of understanding and experience of a hitherto unknown set of social and familial practices rather than aim for any breadth. As such the object was to make an original contribution to knowledge and theory rather than test any existing hypotheses.

PART FOUR: EMPIRICAL CHAPTERS

Chapter 5 Making sense of Dagomba child fostering practices

5.1 Introduction

Although a common practice globally, SSA appears to be the hub of child fostering in Africa. It has been and remains a significant practice among the Dagomba ethnic group of northern Ghana. The practice is embedded in the people's conceptions of family, childhood, child rearing, as well as a belief in nurturing the best interests of the family including that of the child (Harkness and Super, 1995; Lloyd and Blanc, 1996). This chapter explores in more depth respondents' views on how the Dagomba of northern Ghana conceptualise and foster their children and young people. It is written in four sections with section one focusing on the terminology and age of child fostering among the Dagomba. Section two explores respondents' understandings of the broader meanings of Dagomba fostering. The importance of child fostering to the Dagomba in relation to individuals, family, community and nation are highlighted and discussed in section three. Section four then identifies and discusses respondents' perceptions and attitudes towards the practice. The chapter concludes with a reflection on how these understandings and conceptualisations impacts on the way children are fostered among the Dagomba.

5.2 Terminology and age of fostering

The terms *duh' ti* and *bia tuhigibu* are the main known terminologies of child fostering in Dagbani – the language of the Dagomba. These are literally translated to mean 'giving birth for another person' and 'child snatching' respectively. Acknowledging that there are similar terminologies of the practice in other major languages in Ghana and perhaps across SSA, the Dagomba terminologies, *duh' ti* and *bia tuhigibu*, both seem to be directly linked to either the rationale behind the practice and the young age at which children are traditionally fostered. For instance, all the research respondents explained *duh' ti* to mean that birth parents sharing their blessings with other family members, relatives and loved ones. The term *tohigibu* on the other hand, depicts the early age at which the Dagomba traditionally foster their children (see further discussion of age of fostering below). In the views of the research respondents, therefore, *tohigibu* or 'child snatching' does not have the same connotations as its literal meaning in English. It nonetheless depicts the possible immediate impact (trauma) the

separation of children from their birth parents could have on both the child and the birth parents – the child might cry, might refuse to eat or sometimes fall sick on the few days after fostering. It is therefore these possible impacts of fostering on the child within the first few days after fostering that the Dagomba refer to it as *tohigibu* and not the manner of doing it. Respondents therefore agreed that the term *tohigibu* does not mean anything cruel or pejorative. This position is supported by the literature which describes *tohigibuto* mean the manner in which, and usually very young age at which, children are normally taken away from their birth parents (See, Ainsworth, 1967; Goody, 1982; Goody, 1975; Goody, 1973; Mahama, 2004; Oppong, 1973).

The research respondents also identified that the Dagomba have other special terminologies for children and young people who are fostered. In particular, children and young people fostered patrilineally or *ba yili* are termed *ba yili* or *ba polobihi* (*biya* for singular) and those fostered matrilineally or *ma yili* or *ma polo* are referred to as *ma yili* or *ma polo bihi* (*biya* for singular). A third category is those fostered through friendship or *simli* and they are called *simli bihi* (*biya* for singular). Other terminologies identified by the research respondents included: *yanga* (*yansi* for plural) to mean a child and/or young person fostered to a grandparent; *pringa* (*pringsi* for plural) to mean a child and/or young person fostered to an aunt; *nygahinga* (*nygahinsi* for plural) to mean a child and/or young person fostered to an uncle; *zenkuna* (*zenkuna nima* for plural) to mean a child and/or young person fostered to a friend. Finally, children and/or young people who are fostered as a result of the death of a parent are referred to as *zugulem* or *bagayuli bihi*. Respondents noted that all the terms are gender neutral. Although there is the possibility that similar terminologies exist in other cultures, no similar terminologies were located in the literature.

Another issue explored with the respondents that was closely connected to the Dagomba terminology of child fostering was the age of fostering. From the data, it seems that the Dagomba normally foster their children between the ages of 5-8 years. For instance only three out of the twelve children and young people who participated in this research were fostered after their eighth birthday. All children and young people suggested that they did not know why they were fostered at such an early age. Parents and professionals however advanced two reasons for this decision – one, they suggested that the decision is to give the foster family the opportunity to train the child from scratch since the child at that age will really not have experienced much life outside their care; and two, so that both the child and

the birth parents would not feel the absence of each other that much. The first reason, it was suggested, allows the child to grow up in the foster family as if they were the birth parents and the second is to minimise grief to both the child and the birth parents that sometimes accompanies the departure of children from their birth family to a foster family. Hassan's grandfather's assertion – *piem yi bi kpe pam, di guobo bi tou* – was typical of the position of parents and professionals. His assertion is directly translated to mean that it is easier to remove an arrow from the skin when it is just at the surface. This explanation given by parents and professionals signifies the Dagomba acknowledgement of the role of attachment in the fostering of children. It was also suggested that the fostering of these children between 5-8 years does not mean that they do not suffer grief, but rather, it is informed by a general belief among the Dagomba that fostering children early minimises grief.

All similar studies on the practice agree that the age of the child is an important dimension to fostering in SSA and that the main divide occurs around the age of 6-8 (See, Ainsworth, 1967; Goody, 1982; Goody, 1975; Goody, 1973; Mahama, 2004; and Oppong, 1973). The literature also suggests that in the accounts of African childhood, the ages of 6-8 years mark a turning point for the child. Traditionally, children between the ages of 6-8 years are also given new roles, responsibilities and encouraged to participate more actively in both domestic activities and in the life of the extended family (Goody, 1973; Mahama, 2004; and Oppong, 1973). Erny (1987) and Lloyd and Desai (1992) have also suggested that whereas boys and girls are treated alike when very young, after age 6, children take up gendered roles – for instance, boys and girls assume distinct rights and responsibilities. But the literature also suggests that although the proportion of foster children aged 0-6 is everywhere significantly lower than that for older children, the phenomenon of fostering young children is remarkable in SSA when compared to the rest of the world.

The section therefore demonstrates the Dagomba terminology of child fostering and the importance of age as a factor in the Dagomba conceptualisation and understanding of child fostering. Under ideal situations the Dagomba have a preferred age range during which they traditionally foster their children. This it seems is informed by their understanding of attachment, grief and how to minimise grief to both the children and families. It also seeks to give the foster parents the opportunity to raise the child from the scratch. In the next three sections, respondents' views and understandings of the broader meanings of fostering, their

views on its importance as well as their perceptions and attitudes to the practice are explored and discussed.

5.3 Respondents' views and understandings of the broader meanings of Dagomba fostering

All 42 participants expressed their views and understandings of child fostering as practiced by the Dagomba. Three broad views and understandings stood out of the data. The first view and understanding was that fostering means the *giving out or transfer* of a child or young person to a close or distant relative. This was the most frequent of the views across all categories of respondents. Among the children and young people, for instance, Sala, Hawa and Nyahisim, talked about fostering as a practice whereby a child is *given out to be looked after* by another family member. Zara, Saha, Maltiti, Osman, Hassan, Abigail, and Rahman also spoke about the practice as *an agreement between families to transfer a child or young person from one family member to another*. For Muni and Suhiyini, *child fostering is the practice of families transferring children from one family to another*. Muni added that by such transfers, families '*use children to prevent conflicts and help strengthen their ties*'. Expressing similar views, Saha's father, a parent, and Chief Vo Naa, a professional, commented separately that, *fostering is a cultural practice where children are transferred to be looked after elsewhere apart from the home of the birth parents* and that it is the *relocating, sharing and transfer of children and young people within and between families with the aim to enhance existing family ties both within and between families* respectively. The majority of parents and professionals subscribed to this common understanding of the practice. It therefore seemed that the research respondents understand the practice as the Dagomba way of using children and young people to encourage family continuity. This line of understanding also appeared to emphasize the important role of children and young people in the Dagomba family system. The general consensus was that child fostering is a much appreciated practice since it is used in strengthening existing family ties – a view supported by the literature on child fostering (See, Ainsworth, 1967; Goody, 1982; Goody, 1975; Goody, 1973; Mahama, 2004; Oppong, 1973).

The second broad view and understanding about the fostering of children and young people among the Dagomba was that the practice is '*neither temporary nor reversible*', especially in

the case of boys. This view was also common among respondents across all categories. The point made here was that when the Dagomba foster a child in or out, it is usually for life and that is true for both boys and girls. This was a shared understanding amongst the respondents. Abigail's view seemed to have captured the thoughts of all other children and young people in the research. According to her, *'a child is normally taken from the birth parents home to a live with the foster parent for life'*. All other child respondents held similar views that Dagomba fostering is neither temporal nor reversible. Parents and professionals also thought that Dagomba fostering is neither temporal nor reversible but observed that there is an exception in the case of girls. Lawyer Ibrahim Mahama, for instance, noted that, *the only exception to this is in the case of girls at the time of marriage*. His view was explained further by Muni's mother when she later suggested that, *unlike boys who stay with their foster parents forever; girls will normally eventually leave their foster parents when they get married*. This means that Dagomba fostering might be temporal in the case of girls at the time of their marriage. Under the Dagomba marriage system, it is the woman who leaves her family to join the man and his family (Mahama, 2004). Customarily, although the woman after marriage can still and often do have contact with her birth family, this contact is meant to be minimal and can be regulated by the husband and/or his family. This explains Muni's mother's assertion that fostering is neither temporal nor reversible for girls until marriage. Other respondents who agreed with this line of view and understanding were Nyahsim's mother and Alhaji Alhassan, a professional. Both particularly agreed with Muni's mother's assertion, with Nyahsim's mother noting that, *in Dagomba fostering, the relationship between the child and the foster family never ceases*. Parents and professionals added that a fostering arrangement can be terminated and families can sometimes reverse a fostering arrangement in the face of danger to the life of the child, abuse or neglect. This viewpoint is corroborated in the literature of child fostering within SSA which suggest that birth parents are generally discouraged from terminating fostering arrangements prematurely without due cause, but they have the right to terminate a fostering arrangement in which fostered children are treated poorly (Goody, 1973). It appears that a child's happiness with the foster family influences the birth parents' actions. According to Goody (1982) and Oppong (1973), the norm among the Dagomba is that if a child runs away from the foster parents once or twice, the birth parents normally persuade them to return. However, if a child runs away for the third time, birth parents terminate the fostering arrangement, claiming that the ancestors do not wish the foster relationship to continue. The attribution of responsibility for this action to the ancestors has been interpreted as a way to eliminate the need to apportion blame or guilt

to either the birth or foster parents (Goody, 1973). It therefore seems that it is not an obvious case that the Dagomba fostering is not reversible at all times. Children go back to their birth families when they are treated poorly.

The third commonly held view and understanding expressed by participants on the broader meaning of Dagomba fostering was that children and young people are normally fostered within the extended family and/or to family friends. This was interpreted by respondents as a way of *educating and socialising* children and young people about their family and family system. Again, all categories of respondents saw merit in this view and understanding suggesting that it is common understanding among the Dagomba that children and young people are usually fostered to their aunts, uncles, grandmothers, grandfathers, brothers, sisters or family friends. For children and young people, this view mirrored their individual experiences and the circumstances because all children and young people were fostered to an aunt, uncle, grandparent or a family friend. Views expressed by parents and professionals included that of Abigail's grandmother. According to her, fostering is:

A way of educating children and young people about the extended family through the use of the extended family and the children and young people learn to build relationships with other extended family members.

She explained that in Dagbon culture *raising a child has never been the responsibility of only the birth parents*. In her view, child fostering therefore provides an avenue for *the training or educating of children and young people about this culture through the use of the extended family system*. Similar views were expressed by Suhiyini's uncle and Hassan's mother separately. In the words of Suhiyini's uncle, *the Dagbomba are largely social people right from the family to the society level*. He added that *there are various ways this culture of socialisation is passed on from one generation to another and child fostering is one of them*. According to Hassan's mother too, the Dagomba family system is, *the extended type, and fostering is used in facilitating this culture*. These perspectives emphasised that child fostering is one of the ways children and young people are collectively socialised among the Dagomba. Thus, the Dagomba fostering seems to favour the movement of children and young people to families where they are offered opportunities to learn important and valued skills, including farming, craftsmanship, the learning and teaching of the Quran and/or music (Goody, 1975; Oppong, 1973). These informal training schemes also regulate the distribution of the benefits by all the parties: the children work for their foster parents in order to show

gratitude to them for the teaching, and the birth parents also contribute with gifts occasionally.

In summary the section explored respondents' views and understanding of the broader meanings of Dagomba fostering. It demonstrated three main emergent views and understanding namely: (a) that the practice involves the 'movement, giving out or transfer' of children and young people within and between families or the delegation of child rearing responsibilities both within and between families; (b) that the practice is 'neither temporal nor reversible' and (c) that children and young people are normally fostered to other family relations and/or friends as a way of 'educating and socialising' them about the extended family system. Their expressed views and understanding of Dagomba fostering is corroborated by views and understandings of the practice in the literature of child fostering within SSA (Ainsworth, 1967; Akresh, 2004; Apt, 2005; Castle, 1995; Goody, 1975; Serra, 1996). Under the backdrop of the above views and understanding, respondents' views on the importance of child fostering to the Dagomba are explored in the next section.

5.4 Respondents' views on the importance of Dagomba fostering

It is suggested in literature that the importance of child fostering is usually used as justification for the practice (Apt, 2005; Akresh, 2004; Klomegah, 2000). This means that child fostering traditionally exists mainly to fulfil certain significant roles – perceived or real. These significant roles can be traditional, cultural, social, economic and/or religious. This section explores and presents the views of respondents on the importance of child fostering to them in trying to make sense of the practice.

Of the 42 respondents, the majority across all three categories considered child fostering important to them and only a minority suggested that the practice was not important. The minority of respondents who suggested that child fostering was not important were mainly children and young people, as well as professionals. From the children and young people category, the group included Hawa, Nyahisim, Muni and Saha. According to Saha:

For me, child fostering has no real importance. Apart from working for my uncle, there is hardly any other benefit. If I am to answer the question strictly based on my personal experience, I will say that fostering has little importance to the child. Maybe I will see

its importance when I am an adult and ready to marry because it is the responsibility of my uncle to help you settle down into marriage.

Saha's comment was picked up because it seemed to have reflected the views of the other respondents who suggested that child fostering is of no importance to them. For the group, the issue is about what they daily go through as foster children. Looking back on Saha's comment, he suggested that he works hard for his uncle but gets little or nothing in return. It seems that his comment goes beyond the mere feeling of lack of appreciation for the work he does for his uncle to include an emotional element of not being noticed which perhaps makes him feel insignificant in any other way apart from working. Saha felt it is only his labour that is important to his uncle and nothing else. This corroborates Hashim's findings relating to migrant children among the Talensis, also in the north-eastern part of Ghana, when he found that children who migrate from the north to south and lived with their family relatives, feel that their labour is exploited by such family members (2004).

Similar sentiments were echoed by Hawa, Muni and Nyahisim in their views on the importance of fostering. What this group of children and young people seemed to have in common was that they were made to work hard for their foster parents and received little or nothing back. It appeared they were also experiencing asymmetries in the way they were treated by their foster parents either in comparison to the children of their foster parents or other children and young people known to them. This has been identified in the literature as a major negative effect of fostering in general (See Ainsworth, 1967; Akresh, 2004; Apt, 2005; Castle, 1995; Goody, 1975; Serra, 1996). Silk (1986) for instance has noted that in the type of fostering practiced in SSA, foster children experience asymmetries in their treatment and may be asked to work harder, punished more severely and allocated few resources. This is however not always interpreted by the society as negative but a culturally acceptable way of nurturing children and young people with the aim of making them better citizens.

The majority of respondents who viewed child fostering as an important practice included, notably all parents, some professionals and two-thirds of children and young people. Rahman, Osman, Zara, Suhiyini, Abigail, Sala, Hassan, and Maltiti thought of child fostering as an important practice. According to Suhiyini, *it has importance to me because I am an orphan now and would not have been able to take care of myself*. Suhiyini was fostered to her maternal aunt when she lost both parents. The Dagomba fostering thus also takes care of

orphans who are perceived to be in need of care. Through the practice, orphans are kept within the extended family and looked after as in the case of Suhiyini. For her, child fostering has provided her much needed care after the death of her parents. Rahman also mentioned that:

I was fostered to get an education – not secular education but Islamic education. But my foster father decided that I needed to have secular education too. That is why I am attending school today. It is therefore very important to me.

In his case Rahman saw the importance of child fostering through the opportunity it provided to have an education. He makes distinction between types of education – secular and Islamic. It appears Rahman's is a classical example of what is referred to in the literature as apprenticeship fostering where children in Muslim communities, especially boys, are fostered out to be raised by prominent religious scholars (Akresh, 2004; Goody, 1973, 1975; Oppong, 1973). The fostering of children to these prominent religious scholars in society is to offer the children the opportunity to learn from the 'best'. But in his case, the foster parent also enrolled him into school. Similar sentiments were expressed in the views of the majority of respondents who are benefiting in one way or the other from fostering and so consider the practice important. For some, the practice has enhanced their survival and development and for others, too, it has given them other opportunities in life such as the experience of living in a city and learning a trade.

Other values of child fostering expressed by the majority of respondents were along the lines of issues pertaining to culture as well as socio-economic issues. Quoting Muni's grandmother:

Child fostering is a very important practice because it helps in strengthening our ties. ... besides, it also helps in teaching our children how to live successful lives through proper training...

The above quote suggests that when the Dagomba foster their children it is seen as both a social responsibility and the need to strengthen family relations or bonds both within and/or between families. This is considered as a 'pull factor' in the literature (Goody, 1978; Isiugo-Abanihe, 1985; Oppong, 1973; Bledsoe and Brandon, 1992). Abigail's mother added that, *child fostering helps in socialising our children and young people to be socially, culturally and economically responsible*. It is common knowledge, and in fact an acceptable one among

the Dagomba, that when children are fostered they learn and work for their foster parents. Indeed, children's work in itself is not interpreted as a negative experience, nor is it seen as hindering the growth and development of the children involved (Bledsoe and Isiugo-Abanihe, 1989). The engagement of children in light work is however seen as a way to better equip them to face the challenges of adulthood (Kuyini et al., 2009). Another element of socialisation in the fostering of children also means foster children get to know the extended family better. Basic and pro-social skills are also learnt through household chores and taking care of younger siblings (Oppong, 1973). It is also assumed that foster children acquire cognitive, social, and economic competence as they run errands and hawk goods. Their self-esteem and sense of belonging is also enhanced when their work is valued and seen as meaningful contributions to the family (Oppong, 1973; Goodnow, 1988). These views of parents, on the importance of the practice, resonated strongly with the children and young people as well as professionals. For instance, according to Rev. John:

... fostering was the one surest way of keeping the larger family together. Children were used as an anchor or seal to bond families... a tried and tested method of keeping the family together. ... there was the need for families to stay together because there was always safety in numbers. ...

Rev. John's sentiments also highlighted the cultural and social importance of fostering. He explained that he spoke in the past tense because child fostering among the Dagomba is ever changing and the original conceptualisation and significance are also ever changing. His view was that it is possible some families may still abide by the tenets of Dagomba fostering but added that, *a lot more families might have deviated from these norms*. His view also illustrated the huge significance of fostering to the Dagomba family and how ties within the family are kept through the practice.

There were also some shared general ideas expressed by the respondents. One, respondents believed that, *children and young people are normally fostered into families who have the capacity to look after them*. This was considered important because if a foster family lacks the capacity to take care of the child, it might result in either abuse or neglect. Two, they believed that, *fostering is supposed to promote the best interests of the child*. This was defined in terms of how the practice promotes the survival and development of the child either immediate and/or in the future. Three, they believed that, *the child is challenged to the limits of his/her ability and this makes him/her develop into someone responsible*. This means

that foster children are trained to become independent and self-reliant from a young age compared to children raised by their birth parents. This is to give them the chance to succeed in life no matter what the situation. These overviews are supported by the literature on fostering in other parts of the 'Majority World' (Ainsworth, 1967; Akresh, 2004; Apt, 2005; Castle, 1995; Gale, 2008; Goody, 1975; Serra, 1996).

In comparison with similar research projects, this study differs in its methodology and methods. It is qualitative and based on a small sample (42 participants) whilst that of Kuyini (2009) relied on a mixed method with 74 participants. Those who constituted participants also differed since Kuyini and colleagues' involved children in care, carers, and randomly selected adults in the community. The present study involved children, birth and foster parents of participating children, and, notably, professionals. These two studies are however similar in terms of the nation selected and geography – that is the Dagomba and Tamale in northern Ghana. The present findings agree with the research of Kuyini and colleagues in terms of the need to keep family ties alive being the key reason for placement of children with family and kin. Another point of similarity is that the majority of the children expressed satisfaction living with their foster parents, even though they might have experienced physical and emotional abuse and neglect at some point in time in the hands of their foster parents. Although most foster parents were not formally employed and had little personal income, they were positive about the care roles. Therefore, although the two Dagomba-based studies had different methods and methodologies, the findings are largely the same.

In summary, the majority of views shared by all three sets of parties regarded child fostering as important except a minority who were mainly children and young people and some professionals. The overall sense of the majority of respondents was that child fostering has been and remains an important practice to the Dagomba and that the significance of the practice is felt and expressed culturally, socially and economically. Culturally, child fostering is important since it is an opportunity for children and young people to learn their cultural values. Child fostering is socially important because it provides an opportunity for children and young people to contribute to the establishing and strengthening ties. Economically, children and young people are given an opportunity to learn various kinds of trades which will help them become responsible in their adulthood. Although an ideal fostering model, it seems, should cover all these three motivations, it appears that is not often achieved in practice. The sense gathered from respondents was that culture and social importance are

traditionally valued above economic importance. But this might not always be the case and will vary from one foster situation to the other.

5.5 Respondents' perceptions and attitudes to Dagomba fostering

The perceptions and attitudes of respondents to Dagomba fostering came through the data in two divergent ways – supportive and critical. This section explores and discusses these two divergent views.

The majority of respondents considered child fostering supportive. On the part of children and young people, the practice can be supportive either directly and/or indirectly. They explained that the practice is considered directly supportive if it directly benefits the child or young person fostered – that is, if the foster child or young person derives concrete benefits or finds the practice directly helpful for his/her needs. Benefits might include standard of living, education and other opportunities. Suhiyini, for instance, said that, *child fostering is an interesting practice*. He explained that he was fostered at age eight to a family friend who lived in the city. According to him, the original plan was to have him attend Arabic school, but his foster parent gave him the opportunity to attend secular education as well. His birth parents still live in the village and are happy with the fact that he is attending school. Suhiyini therefore thinks of fostering as a supportive practice. He further stated that, *I feel as if I am one of their biological children...I am also having a positive relationship with my foster parents' children...* His reference to comparisons with the biological children of the foster parents and the fact that he is having a good relationship with the children of his foster parents are important points worth discussing. In general, it seems that foster children's experiences are positive when the foster family members are happy and kind in their attitudes toward foster children. The literature also suggests that fostered children usually become highly aware of their status within the household of the foster family and are able to tell if they are welcomed or not (Azu, 1974). Therefore, the foster family household members' attitudes towards foster children can include: how welcomed they made the foster child felt when they first arrived (Goody, 1982) and the relationships between foster children and other children in the foster family (Ainsworth, 1967; Verhoef and Morelli, 2007). All these are valuable contributing factors that shape children's experiences as demonstrated by Suhiyini. Most of the other children and young people including: Osman, Maltiti, Zara and Hawa

shared Suhiyini's sentiments about the practice being of direct assistance in their development. They therefore belong in the category of respondents whose perception and attitude to the practice was seen to be positive as a result of the clear material support they were receiving.

Hassan and Abigail also spoke of child fostering as being indirectly supportive – that is when it provides benefits to others such as birth parents, foster parents and/or the extended family - rather than the child or young person directly involved. For instance, Hassan stated that, *I help and work for my uncle...* Hassan sees his uncle benefiting from his labour but he does not think it benefits him as an individual directly. Abigail expressed a similar view as Hassan in her interview. She mentioned that her parents visit her grandmother regularly with gifts as a result of her fostering. In her own words, she said, *because I am living with my grandmother, my parents visit most of the time and offer her gifts.* In the experience of Hassan and Abigail, fostering can be indirectly supportive for others and not necessarily themselves – Hassan's labour for his uncle and the gifts for Abigail's grandmother.

Both birth and foster parents made no distinction between direct and indirect benefit. In their view, child fostering provides holistic support for children or young person, the families involved as well as the society at large. Quoting Hawa's aunt, a foster parent:

Children are fostered not because their birth parents cannot look after them, but it is our way of life.... Take for example Hawa who lost her mother at such an early stage in her life. If I was not looking after her, guess where she would have been by now? But I'm also benefitting because I haven't got a child of my own.

The above shows the child's benefit, and that of the foster parent. It provides a win-win situation because her aunty is happy to have her as a foster child and Hawa too has a secured place to call home. Similar sentiments were expressed by other parents about the supportiveness of child fostering in their individual cases.

Mr. Sylvester who represented the Department of Children commented about the practice as a way the Dagomba provide a safety net for their children and young people as well as families – a type of informal insurance. His comment exemplifies the views of professionals who considered child fostering beneficial all round. According to him:

... families look for better ways of looking after their children. ... because of unique reasons best known to particular families, children might be raised outside the birth family... the reason could be economic, cultural, social or educational but never neglect or abuse...it also comes as a 'safety net'.

Mr Sylvester's view was echoed by the Lawyer Ibrahim Mahama, Mr. Kumah, Rev. John and Chief Vo Naa Bawah in their interviews. The additional point raised here was that fostering is used as a safety net. This could be interpreted in one or two ways: first, because most Dagomba families are polygamous, co-wives may be jealous of resources or privileges allocated to each other's children. Many birth parents therefore sometimes feel that their children will be safer from the malicious attentions of co-wives if they are fostered out of their birth family homes (Goody, 1982; Oppong, 1973).

There was a minority of respondents who were critical. The stories of Nyahsim and Saha are prime examples. Nyahsim, who voluntarily and willingly went to stay with her grandparents, describes child fostering as *a very difficult thing*. She stated that:

I know deep within me I will never give my child out to be fostered even if I am poor. ... I told my parents that I wanted to live with my grandparents and they allowed me to do so. But now I do not like it because of what I have experienced...

Nyahsim's experience was not a peculiar case. Saha too was fostered by her maternal aunty after the death of her father and she also spoke of child fostering as something she dislikes. In her words, *the child no longer has the opportunity to live with the birth parents*. But this was not just a personal comment because she appeared to have been speaking for more than just herself. She explained further that:

I think it is ok if the child has no experience of living with the birth parents but it is very difficult when you have lived with your parents and they are no more and you have to live with someone else. That is very difficult for both the child and the foster parent because the foster parent might be doing her very best but the child might not appreciate it.

Because Saha lived with her birth parents till she was a teenager, it was rather difficult for her to adjust when she was fostered. She admitted that her aunt is doing her best for her but she still found it difficult. Saha's account raises issues of attachment, identity and familiarity. She might have felt better if she was familiar with her foster parent ahead of her fostering. Nampanya-Serpell (1998), for instance, observed that foster children are likely to show less

emotional difficulties when under the care of familiar foster parents. It also perhaps provides some justification for the Dagomba way of fostering children at a young age (See, Mahama, 2004; Oppong, 1973).

Birth parents were less critical of the practice compared with some of the children and young people and professionals. This was interpreted to mean that because they are those that directly involved in the giving out and taking in of the children and young people, they find it difficult to be critical of it. But it could also be that parents have a clearer understanding of the reasons why children are fostered as well as fewer expectations of the foster parents. Professionals who were critical of the practice questioned whether Dagomba fostering still meets its traditional objective of providing a safety net for children and young people. Mrs Asamoah and Mr. Iddris Abdallah cited child labour, abuse and neglect as examples of issues that can be used against Dagomba fostering today that was never the case in the past. I doubt this is true, but felt the historical comparison was potentially interesting. Their concern poses a question of what happens in cases of abuse or neglect – an issue that will be addressed in the next chapter.

Overall, respondents demonstrated extensive knowledge by way of their perceptions and attitudes towards Dagomba child fostering. For children and young people, their views could have been shaped by their individual experiences and the circumstances under which they have and/or are experiencing fostering. Parents were the least critical category but the views expressed by professionals confirmed the perspectives raised by children and young people. The professionals saw both the advantages, but also the risks of the practice.

5.6 Chapter conclusion

The issues I have discussed in this chapter have significance in making sense of how the Dagomba conceptualise and understand their child fostering practices. Firstly, I explored respondents' conceptualisations and understandings of the terminology associated with Dagomba child fostering. It appeared that '*tuhigibu*' and '*duh'ti*' are popular local terminologies of the practice. While '*duh'ti*' was interpreted easily by all respondents to mean 'giving birth for another person to raise the child,' '*tuhigibu*' was interpreted with negative potential connotations. The consensus was however that the term does not mean the

perceived pejorative meaning it suggests. This discussion was linked to the age of fostering children among the Dagomba and reasons behind it. It was suggested strongly in the discussion that, ideally, the Dagomba have a preferred age range during which they foster their children traditionally. This it seemed is informed by their understanding of attachment and grief. It also implied that they foster at earlier ages in order to minimise grief to both the children and families and to give the foster parents the opportunity to raise the child from as earlier as possible.

Secondly, I explored respondents' views and understanding of the broader meanings of Dagomba fostering. The analysis demonstrated three main views and understandings namely: (a) that the practice involves the 'movement, giving out or transfer' of children and young people within and between families or the delegation of child rearing responsibilities both within and between families; (b) that the practice is 'neither temporal nor reversible' and (c) that children and young people are normally fostered to other family relations and/or friends as a way of 'educating and socialising' them about the extended family system. Their expressed views and understanding of Dagomba fostering is corroborated by views and understandings of the practice in the literature of child fostering within SSA (Ainsworth, 1967; Akresh, 2004; Apt, 2005; Castle, 1995; Goody, 1975; Serra, 1996).

Thirdly, respondents' views on the importance of child fostering to the Dagomba were explored. The majority of views shared by all three categories of respondent regarded child fostering as important except a minority who were mainly children and young people and some professionals. The overall sense of the majority of research of respondents was that child fostering has been and remains an important practice to the Dagomba and that the significance of the practice is felt and expressed culturally, socially and economically. Culturally, child fostering is important since it is an opportunity for children and young people to learn their cultural values and practices. Child fostering is socially important because it provides an opportunity for children and young people to contribute to establishing and strengthening ties at a familial and societal level. Economically, children and young people are given an opportunity to learn various kinds of trades which will help them become responsible in their adulthood. Although an ideal fostering model, might all three motivations, it appears that is not often achieved in practice. The sense gathered from respondents was that culture and social importance are traditionally valued above economic

importance. But this might not always be the case and will depend from one foster situation to the other.

Finally, the Chapter explored respondents' perceptions and attitudes towards Dagomba child fostering as concept. For children and young people, their mixed views (with a minority being critical) could have been shaped by their individual experiences and the circumstances under which they have and/or are experiencing fostering. Parents were the least critical category. The views expressed by professionals confirmed the diverse perspectives expressed by children and young people. The professionals saw both the advantages, but also risks of the practice.

Chapter 6 The ‘Doing Bit’

6.1 Introduction

Regardless of context there is no unanimity as to how fostering is practiced. This chapter focuses on the detail of how the Dagomba foster their children and young people. Section two details and discusses the ‘doing bit’ of the practice. The section focuses on important questions such as: which children are fostered or not (fosterability); what rites, significant processes and events are involved, or not; the roles family and friends play; and other matters of child welfare. Respondents’ accounts of ‘post-placement’ and its dynamics are also explored in section three. The section highlights their views on relationships, and the challenges of the practice as well as its outcomes. The chapter also looks at respondents’ views on placement: that is which children and young people are fostered among the Dagomba; the processes involved; and the events and rites performed. The chapter concludes with a reflection on how the Dagomba foster their children and young people and contributes to an increased understanding of the practice globally.

6.2 The decision to foster and who is fostered

Literature in the ‘Minority World’ suggests that it is largely children and young people who suffer abuse and/or neglect in the hands of their birth parents or those whose birth parents cannot look after them who are fostered (Ainsworth, 1967; Goody, 1975). The researcher was therefore interested in gathering the views of research respondents on which children and young people are fostered among the Dagomba and whose decision it is to foster.

The majority of the 42 respondents were of the view that any child can be fostered among the Dagomba and that both children and parents can initiate the process. The general view of children and young people was that both children and parents can initiate a fostering. They were also unanimous in their views that any child can be fostered among the Dagomba. According to Rahman, *any child can be fostered*. This view was concurred by the majority of children and young people. This means that for children and young people the decision to foster or not is in the hands of parents. There were, however, other narratives that suggested

that some fostering situations are at the initiation of children and young people. Therefore, not all fostering situations are necessarily the decision of parents.

Parents and professionals concurred with the expressed views of children and young people that the Dagomba can foster any child, in principle. According to Saha's mother, *any child is fosterable provided there is an understanding between the families*. Suhiyini's grandmother also stated that, *any child is fosterable but it is parents who turn to foster out children who they think can become good ambassadors for their families*. These two quotes exemplify the views of parents but they differ in emphasis. While Saha's mother emphasised the need for a common understanding between the families involved, Suhiyini's grandmother stressed the fact that birth parents might tend to be selective in who they foster out in order that their family name will not be brought into disrepute. She likens the role of a foster child to an ambassadorial position in which case a good ambassador is supposed to represent his/her family well – that is a child who will portray a good image of the birth family through hard work and keeping up with the demands of fostering. The implication of this diplomatic task is that birth parents are conscious about who they 'give out' and the child's performance when he/she is given out. This also seems to support the literature in the sociology of childhood where it is believed children are competent beings that can act upon their surroundings and not simply passive 'becomings' (James and Prout, 1990).

Parents also suggested that in practice the Dagomba tend not to foster particular children and young people for specific reasons. In particular, they cited circumstances such as birth families with only one child, children suffering from a chronic sickness or those with special needs, as well as the first child of a family, as cases when the Dagomba might not foster their children. Hassan's mother said that, *to the best of my knowledge, an only child or a child with a chronic sickness is usually not fostered*. Another parent who proffered reasons why the Dagomba do not foster the category of children mentioned by Hassan's mother is Muni's father. In his view, *parents of an only child will also need a child at home and cannot afford to give such a child out*. He added that, *the Dagomba do not foster out children and young people with a chronic sickness or those with special needs because such children will be considered a burden to the foster family*. Finally, parents expressed the view that the ordinary Dagomba family may not foster their first child because the birth family will be denying themselves the opportunity and the joy of parenthood or learning to raise a child - an exception to this nonetheless is the fostering the first children of Kings. Like many cultures

across the world, the first male child of the King is the heir to the throne. Parents were therefore of the view that such children are normally raised outside the palace by a special class of people known as the *warizohi*. The *warizohi* are elders who know the culture of the Dagomba and so it is assumed that a child under their custody will have the opportunity to learn their culture. Some of the above views expressed by the parents have not found expression in the literature of similar studies. There is a lot within this paragraph that is telling about Dagomba fostering. For instance, it seems that the Dagomba do not foster an only child in a family because the birth family will also need the services and benefits of the child. The idea of fostering the first born in a royal family to offer protection confirms what is suggested in the literature that some families foster to hide children from the envy of co-wives. It also seems that children with additional needs are not fostered primarily because the birth family might not wish to over burden the foster family.

Sharing the views expressed above, Mr. Kumah, a professional, noted that indeed, *any child in need can be fostered but of course babies are usually not fostered* His view was supported by Rev. John, Lawyer Ibrahim Mahama, Chief Vo Naa Bawah, and Mr. Sylvester. Professionals added the element of ‘need’ and excluded the tendency of fostering babies. Alhaji Alhassan explained that the Dagomba do not foster babies until after the age of 5 years because it is a traditional belief. He explained further that the Dagomba believe that fostering children after their 5th birthday enhances their chances of survival. He however added that ages 6-9 years are ideal for fostering children. According to him:

The Dagomba foster preferably very young children so that the foster parents have the opportunity to train them into what they deem fit or appropriate in terms of career or skill needs.

This view was supported by Mrs Asamoah and Dr. Salifu, both professionals. Dr. Salifu particularly likened the Dagomba preference to foster young children to ‘catching a fresh fish from the river.’ According to this school of thought, the fisherman stands a better chance to be able to put a fresh fish into whatever shape compared with a dry fish. This means that foster parents stand a better chance of training younger children successfully compared with older ones. The Jesuits have a similar maxim which says that, ‘give me a child until he is seven and I will give you the man.’ No cogent reason(s) was however given why babies are not fostered but it possibly as a result of the care demands that babies will require.

In summary, all respondents agreed in principle that generally any child can be fostered under Dagomba fostering. Parents and professionals however highlighted certain specific circumstances under which they thought that some children may not be fostered. These circumstances include the fostering of the only child of a family, children with chronic sicknesses or those with special needs, babies and the first children of families who have other children. Some of these views including not fostering the first child of the family and not fostering the only child of the birth family, are corroborated in the existing literature (Ainsworth, 1967; Akresh, 2004; Apt, 2005; Castle, 1995; Goody, 1975; Mahama, 2004; Oppong, 1973; Serra, 1996). The next section discusses the rites, processes and events that are performed once the Dagomba settle on which child to foster.

6.3 Processes, events and the rites involved in Dagomba fostering

Generally children and young people explained only the event aspect of their fostering, i.e. they knew little or nothing about the process. A majority of these children and young people could not remember the accompanying rites and processes that were carried out before they were fostered. The reason could be that, customarily, the Dagomba do not normally involve children and young people in the performance of such processes and performance of rites (Mahama, 2004; Oppong, 1973), partly because of the age of the child and partly as a result of the custom of the people. The potential significance of not involving children in the rites might be as a result of the traditional Dagomba belief that children must be seen but not heard. Specifically, Muni, Abigail, Rahman and Saha could not remember any elaborate rites and/or processes preceding their fostering. Their lack of awareness could be as a result of the young ages at which they were fostered: Muni at 6, Abigail at 6, Rahman at 7 and Saha at birth. The minority of children who seemed aware of some of the rites and processes were those who were fostered when they were older. For example, Hawa, Suhiyini and Hassan remembered the rites and processes that preceded their fostering.

All the children and young people could however remember and could identify with the event part of the practice. For instance, Sala recounted the event of her fostering as follows:

I remember there was a child naming ceremony in our home and we had a lot of family friends visiting. My aunt also came with her four children who were all girls. The way and manner they related to each other as a family drew me closer to the family. So I

immediately developed so much admiration for them and when the occasion was over I wanted to follow them home. I remember my parents did not like the idea ... I cried the whole afternoon and that won me the sympathy of other family members. My parents were advised to allow me to go with them since it was obvious I enjoyed the company of the other children. My parents reluctantly gave in and I went home with them.... that is how I was fostered.

So, although her parents mentioned that there was a lot more negotiation and offering of gifts behind the scene, all she remembered was the event, the day itself.

On the other hand, all parents thought of child fostering as a process and more than two-thirds were of the view that it is both a process and an event. The significance of seeing fostering as an event and/or a process is one element of the Dagomba fostering that differentiates it from fostering in the 'Minority World'. For example, in the 'Minority World' fostering there are no established rituals or processes. The majority of the parents were also of the opinion that both the rites and processes are most often at the initiation of the foster family but that sometimes the birth family can take the initiative. In either case, parents suggested that both families usually have to be happy and willing to commit to the fostering arrangement before the child is fostered. The Dagomba place varied significance depending on who initiates the fostering process: an initiation by the foster parent suggests some form of a need; while that by the birth family is interpreted as a placement of 'value' or an appreciation of the existing relationship between the birth and foster families. Parents also disclosed that as part of the process there is usually considerable consultation and negotiation done by the participating families. For example, according to Sala's father:

... my mother in-law sent a word to me saying that she needed a child to lie at her feet at night and to fetch firewood for her since she was no longer strong enough to go to the farm herself...

The above confirms what has been suggested in the literature. It mentions practical domestic help such as fetching of firewood and having a child at her feet to keep her company (emotional support) and/or provide her with warmth (physical support). The need for child labour has been and remains one of the main 'pull factors' for families to foster-in children in SSA (Fiawoo, 1978; Kuyini et al., 2009; Oppong, 1973). In most SSA societies, girls help women with household chores and child care, and boys help men in the farm or perform tasks associated with specialized occupations (Goody, 1982). Such labour is likely to be particularly valuable for families who have no children at home; although the general

understanding is that foster parents can always benefit from having an extra helper around (Kuyini et al., 2009).

The above typifies a classic Dagomba method of a foster family initiating a fostering process. Sala's father confirmed this general view when he added that, *that is usually the traditional way of requesting a child...* Sala's maternal grandmother's request meant, and was rightly interpreted by her father, that the grandmother wanted to foster her.

In his response, Sala's father informed the grandmother that he needed some time to consult his family elders and his wife before getting back to her. Her father added that, *in fact I also needed some time to study my children to be sure which of them will be comfortable living with the grandmother.* The buying of time is interpreted by the Dagomba to mean two things - one, it is to send the message to the prospective foster family that the parents are not just pushing the child away but that they appreciate and love the child; and two, in order that the birth parents can choose a child who will become the best ambassador of the family. In the particular case of Sala, her father also wanted to assess which child will be comfortable in the company of the grandmother, which seems more child-oriented.

The process continued when about a month later Sala's grandmother sent a reminder – an indication that she was serious with her request. The father's response this time was that he had considered her request and that the decision was in her favour. A date was therefore fixed and arrangements made by both families for her to collect Sala. On the set date, she sent a *Tumo* (a messenger) with presents, *guli* (cola) and *zyeri* (ingredients for cooking), to pick Sala up. The offering of presents was described as a convention with huge significance among the Dagomba which is traditionally followed during the fostering of their children and young people. The *guli* is a present for the father and the family elders and the *zyeri* for the mother of the child. This offering of presents by the foster family is interpreted to mean two things; one, to appease the birth parents considering the fact that they were giving out a child and two, to show appreciation and to say thank you for sharing their child. It is also part of the Dagomba traditional way sealing an agreement, pledging to respect such an agreement and to seek blessings for the newly established relationship. This differs markedly from what happens in the 'Minority World' context when birth parents usually do not know the foster family, nor are they often made aware of the foster family's whereabouts.

The professionals agreed with the expressed views of children and parents that Dagomba fostering is traditionally both a process and an event which comes with the performance of certain rites. Their collective opinion on the issue was that generally both the process and the event are situational and are based on the culture and custom of the Dagomba. Dr. Salifu's comment encapsulates the general views of the professionals. He stated that:

Child fostering is a process which is initiated based simply on trust. It often takes a request by a relative or family friend and/or the resolution of the birth parents to foster out a child. The underlying assumptions are that the mutual interests of the families will be protected through fostering and that the best possible training will be provided for the child by the foster parent. But because the process is normally done without the knowledge of children, children see it as an event.

The above quotation raises some important issues: of trust, mutual interests of the families and aspirations for the best possible outcomes for the child. It also raises the issue of the process being done without the knowledge of children. Generally, the professionals interpreted such elaborate processes as a way the Dagomba assess both the child and the families involved; this can also be seen as an act of due diligence aimed at ensuring that all parties involved in the fostering are satisfied at the end of the day.

The section above provides insights on the elaborate processes for fostering a Dagomba child, and the rites associated with this process. The rites and processes described above by research respondents are largely embedded within the customs and traditions of the Dagomba. It is common knowledge among the Dagomba that birth parents never have complete control over their own children while their older siblings and/or parents are alive. Birth parents themselves are under the control of their own parents, older siblings and *dogirikpema*. Indeed birth parents are not even thought to be the most competent people to raise their own children and should not keep all of them (Oppong, 1973). Both historically and in practice, the Dagomba have had elaborate rites and processes of fostering their children and young people, most of which climax as an event that is normally celebrated (Kuyini et al., 2009; Mahama, 2004; Oppong, 1973). They can either be initiated before or after the birth of the child, although the event takes place usually after the child's 5th birth day. The rites and processes may also involve the performance of rituals and sometimes the exchange of gifts (Oppong, 1973).

In order to make sense of the respondents' views, I have identified four broad ways through which children and young people are generally fostered among the Dagomba, each with

unique processes. The first involves fostering to the paternal aunty. Traditionally, a paternal aunty may establish a claim to an unborn child by performing a role during the brother's marriage or during the period of the brother's wife pregnancy (Mahama, 2004). The man's sister who provides things for the brother's wife confinement and toiletries for the baby is said to have claim over the child when he/she is born and that marks the beginning of the fostering process in the first category. This would have been the basis on which Nyahisim was fostered. The second category involves fostering to other family relatives. In this instance, the relative will normally explicitly express interest in the child by sending a word to the birth parents with some gifts for the child and the parents. Usually on the first occasion, the father of the child will acknowledge receipt of the message and pledge to get back to the relative after consulting with the *dogirikpema*. Indeed, some consultations will be done within the family including the mother of the child. A while later the relative will send a reminder to the parents signifying that he/she is serious about the initial request made. By this time, the birth parents of the child would have taken a decision and will inform the prospective foster parent about their decision. This is usually positive because the prospective foster parent would have had a very good relationship with the birth parents and would have weighed their chances of success before making the request. This appeared to have been the case of the majority of foster children and young people in this research. The Dagomba do not normally foster to their enemies – perceived or real (Kuyini et al., 2009; Mahama, 2004; Oppong, 1973). Gifts and cola are again given to the birth parents and the child on the second visit. With the message of approval, the prospective foster parent then prepares and goes back for the third time and final time with gifts, cola and *zeri* (cooking ingredients) for the birth family. The third category involves fostering after the death of a birth parent. This is often referred to as *zugulem* in Dagbani. This frequently happens after the performance of the final funeral rites. It is the *dogirikpema* who normally takes the decision and announces it to the family. The fostering of a child to the *ma yili* is likened to the role of an ambassador. This explains the fostering of Suhiyini. The fostered child is to remind the two families that they once had a relationship and will guide his/her siblings any time they visit. The final category involves fostering to a family friend. On this occasion the process is initiated by the birth family. There will always be discussions between the two families ahead of the sending of the child to the foster family. It is often the birth parents who offer gifts and cola to the foster family on this occasion. This is to symbolise that the foster family will continue to have the support of the birth family in looking after the child. Osman's fostering in this research represents this category of Dagomba fostering.

The reason(s) why various rites are performed are many and depend on the particular category. In the case of the paternal aunty, such assistance is considered customary and demonstrates the love between the sister and the brother. Because the Dagomba have a patriarchal society, women also believe that their brother's children belong to them (Mahama, 2004). The birth family are also happy to give out a child in appreciation for the role the sister played in the marriage, throughout pregnancy, and after the birth of the child. The reason(s) why the rites are performed in the case of the other two categories include: (a) foster parents seek to demonstrate to the birth parents that they are capable of looking after the child; (b) that they have the child's and the birth family's interests at heart; and (c) to show appreciation to the birth parents for sharing their 'blessing' with them. Generally, the acceptance of these gifts by the birth parents means they are in agreement and that the deal is sealed. In particular chewing the cola on the final day before the child is given out customarily seals the agreement between the families. These processes signal a collective 'ownership' of the child, i.e. it is not solely the property of the birth parents, that does not exist in the 'Minority World'.

Children and young people normally do not play any significant initiating and/or receiving role in the performance of these rites. The child or young person is the object but not the subject in the rites. However, depending on the age of the child or young person, he/she might be consulted about the intention to foster him/her. Usually because of the approach of the foster parents, children and young people often become fond of their foster parents by the time they are fostered. Children and young people can nonetheless refuse to be fostered either by verbalising their displeasure or by falling sick within the period they are to be fostered. Families interpret the sickness of a child within the period of his/her fostering to mean that the ancestors or gods do not wish that the child be fostered. The fostering might either be postponed or another child might be given out.

In the next section I explore and discuss the views of respondents on what happens **after** a child is fostered.

6.4 Subsequent dynamics and matters of child welfare

This section details and discusses the role and importance of relationships in Dagomba fostering, the issues and challenges encountered as well as outcomes and other matters of child welfare.

6.4.1 The role and importance of relationships

The literature on child fostering across cultures in SSA suggest that children and young people are fostered within a network of human, family, cultural and community relationships (Goody, 1982; Oppong, 1973). Relationships therefore lie at the very heart of child fostering among the Dagomba, and an understanding of the role and importance of such relationships can be a crucial aspect of exploring the way the Dagomba conceptualise the practice. This section considers the place of relationships in child fostering and discussed the ways in which Dagomba use relationships to achieve the best possible outcomes. Specifically, the section discusses the views of respondents on: the sort of relationships they think children and young people have with their foster parents; their relationship with their birth parents; their relationship with the children of their foster parents; and the relationship between birth parents and foster parents. The research also explored whether children and young people had an existing relationship with their foster parents prior to fostering and, if so, the nature of such relationships.

Firstly, the data suggests that about two-thirds of children and young people said they had direct contact and a cordial existing relationship with their foster parents prior to fostering. The remaining third said they had no prior direct contact with their foster parents but that they had heard stories about them from their birth parents prior to their fostering – a possible kind of relationship or at least connection in itself. The majority of children and young people also spoke fondly about their relationships with their foster parents, most especially, in the earlier years. According to Suhiyini, *I have a very good relationship with my foster father. I have eventually accepted him as my father and he treats me like a son too.* His view exemplifies the view of the majority who spoke of having good relationships with their foster parents. It also further suggests what in the opinion of children constitutes an ideal relationship between the child and the foster parents – being treated like a son or daughter.

However, Nyahsim and Saha spoke of having difficult relationships with their foster parents. According to Nyahsim:

My grandmother now criticises me all the time. She does not see anything good in anything I do in the house or for her. She often insults me and compares me with another girl of my age in the household. She sometimes also accuses me of going out with young men in the neighbourhood. The sad thing is that my mother will not believe me if I tell her what is happening with my grandmother.

Nyahsim sounded resentful in her account of the relationship she was having with her grandmother. This could be due to a number of reasons ranging from the possibility that she was genuinely unhappy living with her grandmother for a number of reasons: one, she suggests that her relationship with her grandmother was better in the past; two, she feels unappreciated by the insults and comparisons the grandmother makes; three, it is possibly embarrassing to her to be accused of going out with young men in the neighbourhood; and four, the fact that her own mother does not believe her when she raises these issues. Nyahsim's grandmother style of parenting, where comparisons are made between children in the household, seems to be the traditional Dagomba way of parenting. The essence, it is argued, is to create some form of healthy competition amongst the children by always setting high standards for them to meet. This however does not seem to be working in Nyahsim's case. The fact that her own mother does not seem to believe her when she makes complaints is confirmed in the literature where it seems that birth parents are generally discouraged from terminating fostering arrangements (Goody, 1973). It however contradicts Brown (1995) who reports that foster children in Angola may be less likely to be psychologically distressed compared to children living with their birth parents. This is echoed in similar studies in Mali and Mozambique which suggest that some fostered children may feel more "psychologically freer" or "wanted" compared to children living with their birth parents (Castle, 1995).

For participants who still have their birth parents alive, all respondents said they had very good relationships with them. The children and young people also maintained they had good relationships with the children of their foster parents. They also said they think there is a good relationship between their birth and foster parents. The significance of this is that all these are valuable contributing factors that shape foster children's experiences with the foster family. In general, it seems that children's experiences are positive when the foster family members are happy and kind in their attitudes toward them. This is supported by the literature

which also suggests that foster children usually become highly aware of their status within the household of the foster family and are able to tell if they are welcomed or not (Azu, 1974).

The majority of foster parents said they either knew or already had a relationship with the children and young people ahead of their fostering them. They maintained that they still have very good relationships with the children and young people as well as with the children's birth parents. Foster parents also concurred with the views of children and young people that the relationship between their own children and the foster children was cordial. Birth parents also confirmed that they still had a good relationship with their children and the foster parents.

Comments from professionals on relationships were in the general sense about the importance of relationships in child fostering. They were all of the opinion that the importance of a good relationship between all the parties involved in a fostering arrangement cannot be overemphasised. The professionals also made the point that a breakdown in the relationships at any of the levels might have negative consequences and can sometimes result in the breakdown of the fostering arrangement.

Although many foster parents did not make the decisions to assume the care role, they were happy with their roles. A majority of respondents were positive about this traditional practice but also had concerns about the outcomes for some children and young people. Most of the children and young people in the study expressed satisfaction with their fostering experiences, although some of them might have had experienced some form of abuse – see the case of Nyahsim.

This section has highlighted the importance of relationships in Dagomba child fostering – relationships between birth and foster parents, relationships between foster parents and foster children, relationships between foster children and their birth parents, as well as relationships between the children of foster parents and foster children. The discussion demonstrates the significance of relationships being at the heart of the Dagomba conceptualisation of child fostering. The next section details and discusses the views of respondents on the shortcomings and the challenges of the practice.

6.4.2 Challenges of Dagomba child fostering

Respondents broadly identified the issues and challenges of child fostering into two broad categories – emotional and practical. For a majority of children and young people, the emotional challenges primarily include *missing their birth parents and siblings*. This was identified as challenge to children and young people because the mere separation of these children and young people from their birth parents and in most cases, siblings has its accompanied strain. Saha's comment confirmed the above when he noted that: *I still think about parents and my siblings. I also sometimes think that I could get away with a lot more things if I was living with my birth parents*. This is thought to put foster children at risk psychologically and foster children and young people may become restless, disruptive, and/or react with behaviour that provokes rejection as they move into their foster family homes (Verhoef, 2007). Hassan identified another challenge when he said that for him, *it is the harsh treatment and the frustration of not being believed when you tell your story to any other member of your family especially your birth parents...* that presents as the most challenging feature of the practice. Hawa also had this to say respectively:

Sometimes I feel discriminated against within the household not by my grandmother but by other residents because my birth parents are not around. For instance, my uncle's wife does not seem to like me and nothing I do seem to meet her standards.

The above views are presented as part of the analysis here because they are quite instructive and represent different viewpoints.

Some children and young people also identified inequality in treatment and denial of access to education as practical challenges. In the words of Sala, *when children are not given equal opportunities as the children of foster parents and they are treated as second class children; that is my challenge*. Muni also mentioned that, *some children are overworked and denied access to education when they are fostered*. The views expressed by Sala and Muni are echoed in the literature. Ainsworth et al. (2005), for instance, suggest that fostered children are more likely to be engaged with house work rather than given the opportunity to attend school; some foster children may be maltreated and/or abused by their foster parents (Morris and Wheatley, 1994); and others may also be generally required to work harder than birth children (Azu, 1974; Goody, 1970; Goodnow, 1988).

The majority of parents also identified the following as the main issues and challenges of fostering among the Dagomba: discrimination against foster children, denial of access to formal education, foster parents' abuse of children and child neglect. Parents also suggested that the implication of these challenges is that there is the tendency of the practice fading out with time because of emphasis on its weaknesses rather than its strengths. They also identified the fact that there is no well laid-out redress mechanism for children who may not be happy in their foster home, a result of which could mean some children suffering a great deal in silence. This supports the views of children and young people as stated above. Quoting Saha's grandmother:

The need for formal education and religion are major challenges. Education poses a challenge because if the child needs to go to school and the foster parent cannot afford to pay fees, then they would rather not foster the child. Also, various religious bodies constantly call on parents to educate children but where families are poor and cannot do this, it becomes an issue or a challenge to the people practicing fostering.

Another major issue parents identified is the initial psychological and emotional impact the practice has on the child. For instance, Suhiyini's foster parent mentioned that, *sometimes the child feels lonely although there are other children in the household*. The above is a possible emotional or psychological issue with possible serious short-term to long-term effect on the child.

For professionals, the issues and challenges facing fostering may include: the tendency that foster children may not be allowed access to formal education; the potential for child abuse and neglect; child labour; child migration; the danger of birth families disintegrating; the loss of a sense of belongingness within families; illiteracy among foster parents regarding new ways of parenting; the lack of research and updating of records; the lack of support resources; and the lack of interest on the part of the government in the practice.

There was therefore convergence in the opinion that, most if not all of the issues and challenges facing child fostering today, seem to lie within the practice itself and that it is largely in the way it has been practiced over the years as opposed to the concept of the practice.

Similarly, Kuyini et al. (2009) found that more than half of participants said that the practice has both good and bad aspects. Those supporting the practice were of the view that it had advantages for the extended family, the carers and the children. In particular, the practice had the capacity to keep the extended family together (family unity), maintain old traditions and provide better care and opportunities for children to receive good training and avoid 'being spoiled'. Further, carers got extra help for housework and possibly extra financial support from biological parents. On the other hand, those opposing the practice thought that traditional foster care practice did not positively benefit most children because they were sometimes exploited and/or overburdened (Kuyini et al., 2009).

The final section under the post-placement dynamics discusses respondents' views on the outcomes of child fostering among the Dagomba. What do the Dagomba consider as successful outcomes or otherwise?

6.4.3 Outcomes: Successes and failures

Child fostering outcomes are judged as either a success or failure among the Dagomba based on certain identified criteria. This section explores and discusses respondents' views about these criteria. Firstly, it should be noted that the majority of children and young people were not aware of any existing criteria that is used in measuring the successes or failure of a fostering arrangement among the Dagomba. Pointers to a successful outcome according to parents include:

- that the child is able to survive;
- that they grow to become a responsible adult and is also taught how to relate with other external family members;
- that at the end of the day the family ties are stronger as a result of the fostering;
- that a child grows up to become a useful citizen to himself/herself, the family and the community at large;
- that the child becomes someone who is trustworthy, independent and responsible;
- that the child grows up appreciating himself/herself;
- and that they know the culture of his/her people and demonstrate a cultured lifestyle.

Parents' views were summed up in the words of Muni's father when he said that, *when fostering develops the child holistically, it is a success. Anything less is a failure.* A child's holistic development by the Dagomba standard is measured in terms of his/her social and cultural competence. Social competence it seems will include a child's ability to fit into society as a whole without difficulties and cultural competence includes the child's ability to, for instance, speak and understand Dagbani – the language of the Dagomba.

Parents were of the opinion that there are a number of ways in which success is measurable, principally, socially, culturally, economically and religiously. If a child is able to fit well into society in all or most of these ways, then the outcome is a success. According to parents, there are therefore only two possible outcomes - 'good' or 'bad'. They explained that the outcome depended on the foster parent, the biological parents and the child or young person involved but judgement is passed by the society.

Professionals were generally of the opinion that judgement of outcomes is culturally specific. Their views on successful outcomes include:

- when the practice promotes the survival and development of the child;
- when the fostered child grows to follow the teachings and practices of the religion of the family;
- when the fostered child has an opportunity to be educated;
- when the child is able to take care of himself/herself, contributes meaningfully to the family and wider society and becomes a responsible citizen;
- when the child is taken care of as if he/she was growing up with the birth parents;
- when the child's rights is respected and fully protected and care given so that they grow to achieve their full potential;
- when the child feels at home with the foster parents and he/she is loved, and cared for;
- when the child grows up to become responsible to himself/herself and to society at large;
- and when the child develops respect, truthfulness and the ability to live harmoniously with other people within the community.

The professionals were also of the view that when children become wayward, social misfits, societal deviants and end up becoming liabilities to themselves as well as the family and the

society at large as a result of fostering, this constitutes a failure. Professionals further suggested that outcomes can be enhanced by mainstreaming the concept of rights into traditional cultural practices and educating people on new ways of parenting with evidence from empirical research.

In fact, the main objective of child fostering is to promote family ties. It is also to provide training in order to make the child more competitive in life and enhance the survival and development of the child. In other words, for a child to grow up and behave like a Dagomba is an acceptable outcome – that is speak your language, and to understand your culture and traditions. Also, to be able to live an independent life, be very responsible and be able to raise a family successfully. All these are acceptable outcomes of child fostering among the Dagomba. Above all, for the child to be formally educated is now considered the most valuable outcome (Dr. Salifu).

Outcomes are dependent on a number of factors and so there is no standardized outcome. It is not as if the practice is computerised or programmed such that the same results can be achieved each time a child is fostered. The practice is about human beings. Therefore innate factors and the environment in which the child finds him/herself could be a basis to measure whether the outcome is acceptable or not. But at the end of the day, the child should be able to identify well with Dagomba and as a Dagomba (Lawyer Mahama).

Though Dagomba foster their children and young people with the hope that the outcome will be a success, they know that is not guaranteed. What is clear from the stated indicators is that there is a strong emphasis not only on the here and now, but also the future, and this is seen in societal terms and not just those of individual's well-being.

6.5 Chapter conclusion

This chapter has discussed how the Dagomba of northern Ghana conceptualise and foster their children and young people. It explored respondents' understanding of the language and terminologies, the broader meanings of the practice, respondents' views on the importance of the practice as well as their perceptions and attitudes to the practice in section one. Section two discussed how the Dagomba foster their children and young people. That section specifically identified and discussed respondents' views on who is fostered among the Dagomba and looked at the performance of rites, processes and events. Finally, post-placement dynamics and other matter of child welfare were flagged and discussed in section three. That section detailed the role and importance of relationships, the issues and challenges

of the practice as well as its outcomes. The following now reflects on how the Dagomba fostering differs from fostering elsewhere and how this contributes in different ways to an increased understanding of the practice globally.

The above findings must be interpreted with caution because the majority of respondents are happy with the practice. That notwithstanding, the findings signal the reality that the current generation may not share the values of the older generation. This raises the question of whether such traditional practices have any future. Although there were some positive views from adult respondents about traditional foster care, they were themselves less willing to practice it. When the adults were asked whether they would like to give their children out to relatives for care, their responses were mixed. Those who did not have foster children in their care were negative and those who had foster children to take care of were more positive. This may indicate that people who have foster children in their care are more likely to be positive towards the practice because they have a better experience of it but also because they were more positive to start with, more willing to foster. None of the adults who had been foster children themselves wanted to give away their children because of their own negative experiences of such care. The other reason people did not want to give their children out for care was the possibility that their children may have fewer opportunities in foster care.

The findings send an important message about children's needs in environments where extended family relationships are celebrated as well as where they seem overshadowed by formal child welfare systems. Indeed, a child's greatest need may be for a sense of belonging and to know that one is a valued part of a whole. The inconsistency of these findings on child fostering points to the difficulty or even inappropriateness of making generalizations about the experiences of fostered children, of attempting to describe the 'typical foster child.' Essentially the only element that unites these children is the experience of being raised by someone other than one's birth parents. When aspects of fostering are considered, like the relationship between the birth mother and caregiver and the reason for fostering, different experiences come to light. How the Dagomba see their fostering practices meeting the best interests of children is explored in the next chapter.

Chapter 7 The best interests of the child under Dagomba child fostering

7.1 Introduction

The concept of the best interests of the child, pre-dates the UNCRC and was already enshrined in the 1959 Declaration of the Rights of the Child (para. 2), the Convention on the Elimination of All Forms of Discrimination against Women (Articles 5 (b) and 16, para. 1 (d)), as well as in regional instruments and many national and international laws (Breen, 2002; Belembaogo, 1994). Despite this history, its meanings are often unclear in practice as well as legally.

This chapter presents an analysis of how the best interests of the child are conceptualised, and understood in the child fostering practice among the Dagomba. It is divided into five sections and begins with a discussion of respondents' conceptualisation of the principle. Respondents' views on how child fostering promotes the best interests of the child by ensuring the survival and development of children is explored and discussed in section two. Sections three and four explore and provide analyses of respondents' views on how Dagomba fostering does or does not enhance the best interests of the child under the lens of non-discrimination and children's participation respectively. The fifth and final section discusses the challenges of the Dagomba way of conceptualising and understanding the best interests of the child.

7.2 Conceptualisation: Terminology, understandings and experiences

The section explores the terminology of the best interests principle in the language of respondents - Dagbani. It further explores respondents' conceptualisation of the child's best interests in terms of their understandings and experiences of concept. The section helps to unpack the meanings in the data and provide an analysis to respondents' understandings as well as the nuances in their reports.

The majority of respondents described the nearest terminology in Dagbani as *din veli ti bia*. Its direct translation into English means 'anything that is good for the child.' Across the board in the responses of all categories of respondents, it was clear that there is a linguistic gap and that the best interests of the child does not neatly translate into Dagbani

linguistically. This is considered significant for this research because of the possibility that because the principle does not neatly translate into the language of the people, it might have implications in practice. Respondents were then asked about their understandings and experiences of children's best interests.

From the data, the majority of respondents were largely descriptive in their views on what constitute children's best interests. They identified 'happiness', 'education and training', and 'the provision of basic necessities of life' as the main lines of their conceptualisation of the child's best interests. The rest of the analysis provided in this section is focused on the above identified three lines of conceptualisation. It also provides the experiences of respondents under each main line of conceptualisation.

7.2.1 First line of conceptualisation ('Happiness')

This group of respondents understood children's best interests to mean, 'things that make children happy now and/or in future.' Overall, less than a third of the 42 respondents ascribed to this view and children and young people constituted the majority of the group. The list of the children and young people who understood the concept in this fashion included Zara, Saha, Abigail and Hassan. Citing Zara:

I think children's best interests are the things that make children happy all the time. But also sometimes things parents force their children to do. ... when parents force their children to go to school even when the child is not happy to go to school, I think that is in the best interests of the child because in future the child will be happy he/she went to school...

Zara's comment suggested that the child's best interests could involve decisions that are immediate or those about the child's future. The immediate ones are those that keep the child happy now and the future ones include those decisions that might be unpleasant to the child now but will guarantee his/her happiness in the future. She cited schooling as an example of those decisions parents need to take on behalf of children even if children might not like it now. Abigail, Saha and Hassan agreed with Zara and noted that they believed that all things being equal, the happiness of the child should be the ultimate consideration in deciding the child's best interest, even though other factors may be considered. Saha also added that child happiness should include both the private and public spheres. *It can be at home and in school,*

he said. The minority of parents and professionals who shared in this view included Suhiyini's foster parent and Mr. Kumah respectively. Suhiyini's foster parent said, *doing for the child whatever it takes to keep him/her happy is the concept of a child's best interests*. This view was echoed by Mr. Kumah when he noted that, *nothing can be in the best interests of the child if it doesn't make the child happy ultimately*. For this group of respondents, the happiness of the child is at the heart of their conceptualisation of the child's best interests. The terms 'happy' and 'happiness' here, linguistically, are interpreted to mean pleasure and/or prosperity.

The respondents also shared some experiences of the child's best interests citing a number of instances to support their case. Saha cited the following as a rare example of his experience of best interests making him happy:

When I completed primary school and gained admission to come to JHS, I told my uncle about my admission fees but it appeared he was not happy about my decision to further my education. For more than two weeks, my uncle was not talking to me about it. Then one day, he called me and said he has decided to let me further my education and gave me the money to pay my admission fees. That I will stay was in my best interest because it made me happy and I still remember it.

Saha's experience was the most striking even though it was not an isolated case. It seems that the uncle had power of money in this regard. There was a silence and then the uncle decided to pay. The delay in paying for something that was important to the Saha and eventually doing it might have been the source of Saha's happiness. The uncle did not mention this in his interview. Similar glimpses emerged as to what others consider as their best interests. Hassan stated that he likes engaging in sports because that is what makes him happy. To have an opportunity by virtue of the fact that he has been fostered from the village to a city where he could undertake sports was also in his best interests. Zara also mentioned that she is happy because she feels loved by her aunt. Similar narratives were given by Suhiyini's foster parent and Mr. Kumah as examples of the child's best interests. The child's happiness was therefore at the heart of their understanding of the child's best interests and ranged from opportunities being in the city and to play sports in the case of Hassan; to emotional love in case of Zara.

7.2.2 Second line of conceptualisation ('Education and training')

Here, respondents understood the best interests of the child to mean 'educating and training the child'. They argued that education and training will make children independent, self-

reliant, and open future opportunities for them to have a good life. The majority of children and young people including Nyahsim, Hawa, Suhiyini, Abigail, Muni, Osman, and Maltiti held this view point. According to Nyahsim, *for me a child's best interests include everything including training and education that will help make the child an independent self-reliant person in future.* Maltiti concurred with this statement. He explained that education is in his best interests because the rest of his birth family are in the village and lack the opportunity that he has to have an education. Maltiti added that, *I want to become an educated person because in my family there's no educated person. So everyone is looking up to me.* Similarly, Hawa saw education and training as in her best interests because according to her the two will make her, *... become a responsible adult in future....* The views of the group on what constituted education and training expanded to include religion and culture in Suhiyini's comment when he noted that, *my understanding of best interests will be getting an education and knowing my religion well.* He further suggested that *...learning how to behave among people is in my best interests and this includes respect for the elderly...* The Dagomba still demand of children and young people obedience and respect in relation to the elderly in society. This is a cultural expectation and children who are judged by the society not to be culturally and religiously well trained are considered wayward, deviants and uncultured.

A little over a third of parents and about half of professionals shared in this view. For Rahman's uncle, *indeed children have best interests which can be guaranteed through training, education and compassion.* He explained that training, education and compassion will guarantee the child a minimally good life wherever he/she finds himself/herself in future. Most other parents agreed with Rahman uncle's assertion. But emphasising the importance of education and training, Vo Naa Bawah, a professional, also suggested that the Dagomba usually liken the child to a tree and the parent to a farmer:

You see, it is the duty of the farmer to straighten a growing tree into a desired shape. This means straightening it anytime it bends. Similarly, parents always need to guide the child by educating and training him/her on what is good or bad. This means sometimes giving the child options but usually giving clear guidance and instructions.

An important point raised by Vo Naa Bawah is that like the farmer, adults see it as a duty on their part to do whatever they feel necessary in educating or training the child to measure up to a standard (usually defined by society) and this will be in the best interests of the child even if the child does not recognise this. Similarly, Lawyer Ibrahim Mahama, noted that,

‘children’s best interests involves training children along moral lines and inculcating in them the spirit of hard work. He explained further that among the Dagomba morality is important for the good of their common humanity. He defined morality as the combined positive effects of religion and culture and suggested that any training or anything that promotes the well-being, survival and holistic development of the child, is considered as the child’s best interest in Dagbon.

The child respondents shared their experiences to substantiate and provide support to their line of conceptualisation. Nyahsim said, *my experiences include the guidance and counselling I receive from my grandfather, and my grandmother too has over the years trained me on how to cook.* She emphasised that the training she is getting from her grandparents will help her in her marital home in future and so it is in her best interests. Hawa, Muni, Hassan, Osman and Abigail cited attending school as their experiences of their best interests. Osman also noted that, *the training I received from my grandfather regarding craftsmanship – a vocational interest; and knowing the extended family are in my best interests.* He added that with this kind of training, *I can live anywhere and with anyone.* Osman considered ‘craftsmanship,’ and ‘knowing the extended family’ as things in his best interests because ‘craftsmanship’ offers him a skill with which he can be secured economically and ‘knowing the extended family’ offers him some social security since family networks are very important to the Dagomba. Maltiti cited the enhancement of his religious and cultural awareness as his experiences of his best interests.

Many parents and professionals concurred with the children and young people regarding best interests. For instance, according to Muni’s father, *education, apprenticeship or anything that will help promote the child’s future is in the best interests of the child.* This view was supported by Dr. Salifu, a professional.

Alhaji Alhassan, another professional also had this to say about children and young people’s experiences of their best interests:

For me, children’s experiences are mixed regarding their best interests especially in child fostering. Some have the opportunity to go to school, learn a trade or become apprentices. Others are forced into street hawking, child labour and early marriage.

He argued further that children and young people's experiences depend on a number of factors including: the nature of the foster parent, the reason behind the fostering and the level of education of both the birth and foster. Explaining himself, he suggested that these factors will have a positive impact on the child and will undoubtedly shape the best interests of the child. His views were shared by Saha's uncle, Zara's father, and Muni's grandparents.

The common viewpoint was that the reality of many foster children among the Dagomba is that once the child is given out, the birth parents can no longer control what is in their best interests because that becomes the responsibility of the foster parent. Many a foster parent would consider it insulting, if a birth parent constantly seeks to influence decisions concerning the child while the child remains under the care of the foster parent.

7.2.3 Third line of conceptualisation ('The provision of basic necessities of life)

The third line that came through was an understanding that the best interests of the child meant 'opportunities necessary to enhance the safety of children and young people and preventing them from harm, abuse and neglect.' Like the first two concepts, all categories of respondents were amenable to this view. Maltiti and Hawa belonged to this group. For example, Maltiti observed that, *the prevention of a child from harm and abuse as well as security is what I think is in my best interests*. Hawa agreed with Maltiti but added that that is why children are meant to be taken care of by adults. They acknowledged that it might sometimes be difficult for parents to meet this all the time especially when children are outside the home. Parents and professionals who also agreed with this line of conceptualisation included: Zara's aunt, Hawa's aunt, Hassan's mother, Mr. Sylvester and Mrs. Asamoah. According to Hassan's mother, *the child's best interests include anything that will safeguard the child from harm*. In this group, the child's safety was the paramount consideration.

The most compelling of examples regarding how children and young people experience this was offered by Mr Sylvester when he noted that:

I think the bottom line of the concept especially in relation to child fostering is one's ability to keep the child safe and ensure that whatever decision you make does not

compromise or harm the child but will rather help the child to develop, physically, emotionally, and psychologically.

The third line of conceptualisation also included; the provision of food, clothing and shelter as ways children and young people can experience their best interests.

In summary, the concept of the best interests of the child does not seem to translate neatly into Dagbani. It was therefore appropriate to explore respondents' understandings and experiences of the principle in order to fill the linguistic gap. Respondents' understood the principle in three major ways - 'keeping children happy'; 'training and educating children and young people for the future' and 'opportunities necessary to enhance the safety of children and young people and preventing them from harm, abuse and neglect'. Respondents also shared their experiences under each category but each set of experiences could be evaluated by looking at the context prior to fostering, and the circumstance after fostering, and comparing the two phases. It was also identified that the child's experience may be shaped by a number of factors including; the nature of the foster parent, the reason behind the fostering and the level of education of both the birth and foster parents. The next section explores and discusses how the Dagomba operationalised the best interests of the child.

7.3 Practical demonstrations of the child's best interests

How do the Dagomba empirically observe or demonstrate the best interests of the child when they foster their children and young people? This section explores respondents' views to the above question using the following three concepts: the survival and development of the child, non-discrimination and children's participation.

7.3.1 Child survival and development under Dagomba fostering

Under article 6 of the UNCRC, governments are to ensure that all children survive and develop healthily. More specifically the article also provides for children, more specifically, the right to the maximum available resources that are necessary to support them to achieve their maximum possible potential. The following section explores and discusses respondents' views on how, when and to what extent Dagomba fostering promotes the survival and development of children.

The literature on child fostering identifies child survival as one of the most crucial considerations in the fostering in and/or out of children among the Dagomba, and depending on the type of fostering, child survival could in fact be the sole or primary reason for fostering (Apt, 2005; Pilon, 2003). The literature also suggests that there are classical ways in which families promote the survival of their children through fostering, for instance, by not fostering babies and/or children less than 5 years (Mahama, 2004; Oppong, 1973). This is understood to mean that such children are more prone to childhood diseases and not fostering them serves as a preventive measure in order to enhance their chances of survival (Klomegah, 2000). On the other hand, children born out of wedlock are traditionally given out for fostering – usually to the grandparents – because of the potential of stigma. This is seen to enhance their survival (Apt, 2005; Klomegah, 2000).

From the interviews, across the board, it was observed that promoting child survival traditionally means the provision of food, shelter, clothing, protection, health and social or emotional support. It also means providing the child with an opportunity to grow within a family. All children and young people as well as parents saw child survival in this light. The majority of professionals thought that usually these basic necessities of life are assured and most often than not were the most important reason underlining some particular types of fostering among the Dagomba. Quoting Mr. Iddris Abdallah:

Sometimes fostering does improve child survival but other times it does not. For instance, a child losing a parent or both will have his/her survival enhanced when fostered. The norm is that such a child will rather be kept within the family through fostering. The external family will normally do anything and everything for the child to survive. The foster parents will do their best to provide support and protection for the child. In fact, other external family members extend a helping hand more often than not, traditionally.

As for the survival of the child, the Dagomba ensure this through the provision of basic necessities such as food, clothing and shelter. However, a minority of respondents including Rev. John, Dr. Salifu, Mrs. Asamoah and Mr Sylvester saw child survival as also including education and skill training. Quoting Mrs. Asamoah:

Sometimes for the child to survive in this modern world the foster family need to go beyond the provision of basic necessities such as food, shelter and security to include education, skill training and/or apprenticeship.

She added that a home, the necessary economic support, and opportunities for an education are what make fostering promote child survival.

All respondents agreed that how well the survival of the child is guaranteed under fostering depends largely on a number of factors such as: the foster parents, the environment fostered into and the reason for fostering. A child fostered by a cruel foster parent or into a hostile environment, they argued, will no doubt risk the chances of his/her survival. Similarly, a child who is fostered with the sole aim of being used for work might just survive but will not develop very well. They concluded that although fostering is meant to enhance the survival of children normally, the above factors are crucial and do significantly influence fostering outcomes in relation to child survival.

Regarding child development, respondents identified five ways by which children could develop as a result of fostering. These were: physical, cultural, emotional, social, and psychological. The children and young people identified only with physical, social and cultural development ways.

Respondents also identified that the Dagomba, traditionally, have different tailored methods of promoting the development of the child depending on the social class and gender. Princes and princesses are fostered differently from commoners; and boys are educated differently from girls.

All respondents further identified the following variables as determinants of child development under Dagomba fostering: the personality of the foster parent, income level and family size of the foster parent, motivation/reason for fostering in and/or out, attitude of the child, the relationship between the two families involved and the location of the foster family.

Rahman felt fostering had enhanced his development because he moved from the village to the city and as a result had the opportunity to have an education. In his words, *education provides development*. Rahman's story was not peculiar to him but was shared by Muni, Abigail, Osman and Suhiyini who all felt the same about their fostering situation. To this group of participants, the location of the foster family is a major factor to child development. Mrs. Asamoah and Lawyer Ibrahim Mahama also felt that the income level and family size of

the foster family were also key to ensure the development of children. According to her, this is one of the main differences between kinship foster care in Ghana and institutional care in the 'Minority World'. She emphasized that because children are fostered into relatively small families compared to institutional, group or residential care, traditional child fostering provides better individual care which in turn enhance the survival and development of those children and young people.

There was also consensus among respondents that collaboration between the birth parents and foster parents will go a long way to promote the development of children. The Dagomba adage that, '*nu bobgi n meri dam*' which means 'it takes two to tango' is often used as justification for the need for such collaboration. Such expected co-operation is not the case on the 'Minority World'.

The outcome of this research adds to other reported cross-country disparities in the welfare effects of informal child fostering arrangements (Ainsworth, 1996; Zimmerman, 2003; Fafchamps and Wahba, 2006; Akresh, 2009); my analysis suggests that fostering promotes the survival and development of the Dagomba child. In general, my analysis reinforces the growing consensus in the existing literature (Zimmerman, 2003; Akresh, 2009; Serra, 2009) that informal child fostering arrangements enhance, rather than impede child survival and development.

7.3.2 Non-discrimination under Dagomba fostering

Article 2 of the UNCRC specifically states that: 'the Convention applies to everyone whatever their race, religion, abilities, whatever they think or say and whatever type of family they come from'. This means that all rights under the Convention apply to all children without exception: whatever their race, religion or abilities; whatever they think or do not think say or do not say; and whatever type of family they come from. It does not matter where children live, what language they speak, what their parents do or not do, whether they are boys or girls, what their culture is, whether they have a disability or not, or whether they are rich or poor. Basically, the principle of non-discrimination means that no child should be treated unfairly or discriminated against on any basis and that children have a right to be protected actively against all forms of discrimination. The right to non-discrimination is not a

passive obligation, prohibiting all forms of discrimination in the enjoyment of rights under the UNCRC, but also requires appropriate proactive measures taken by the State to ensure effective equal opportunities for all children to enjoy the rights under the UNCRC. This may require positive measures aimed at redressing a situation of real inequality.²

The children's rights literature and others related to child welfare and development identify a number of ways children and young people could be discriminated against (Kail, 2012). These forms of discrimination include: overt discrimination; marginalisation; exploitation; and discrimination through attitudes. It is also possible for children and young people to experience multiple layers of these forms of discrimination. From the interviews in this study, only professionals acknowledged all these forms of discrimination. Children and young people as well as the parents only identified with exploitation and marginalisation as forms of discrimination. The views of respondents were explored on how children and young people suffer discrimination in Dagomba fostering at two levels – in deciding who to foster and what happens after fostering. These views are discussed below.

Respondents were asked whether they felt there were being discriminated against based on their gender, disability or abilities. None of the children and young people interviewed felt discriminated against at the time of their being chosen for fostering. There was also no evidence in the responses of interviewees that suggest that girls were preferred to boys by foster parents or vice versa.

In sharp contrast, the data suggest that the majority of respondents agree that children and young people experience discrimination during their time in fostering. Overall, about two-thirds of children and young people felt they were discriminated against in one way or the other by their foster parents during their time in fostering. The group included: Nyahsim, Muni, Saha, Suhinyini, Rahman, Sala, Maltiti and Hassan. Saha's story was telling of the groups' experiences. Fostered at birth by his maternal uncle because he had lost the father before he was born and his mother getting re-married, he had this to say about his experiences which I will consider as an example of discrimination:

I grew up thinking that my uncle was my birth father and for a long time I was not told about myself. I did not also realise this when I was very little until my uncle had his

² UNCRC General Comment No. 13 (2013) on the right to protection from all forms of violence, para. 61.

own children. I am the oldest of the children in the household. My uncle now has three younger children. But I do all the work at home and have little time to rest. For me coming to school is a chance for me to rest because I work all the time at home.

He suggested further that most children and young people who are fostered suffer similar fates. All birth parents and professionals shared in the experience and sentiment expressed by Saha.

The majority of foster parents however felt otherwise. Vo Naa Bawah also suggested that:

Generally, or most of the time, the foster child is discriminated against if the foster parent has other children. Foster parents favour their own children and so whatever comes their way, they would give out the best to their own children as against the foster child. So the foster child is always the second best but the Dagomba will insist such treatment is in the best interests of the child.

Asked what is responsible for this line of thinking, Vo Naa Bawah suggested that the belief behind such thinking is difficult to explain. He however insisted that such is the reality of most foster children – a view the majority of respondents agreed with. The majority of foster parents on the other hand differed in their opinion.

In summary, discriminations, it seems, exist in how the Dagomba understand the best interests of the child under child fostering. Although it seems children and young people are not particularly discriminated against at the point of fostering e.g. in being chosen, the overall effect is the same should they face discrimination during their time in fostering. No child can fully realise his/her best interests in the face of discrimination, regardless of when it occurs.

7.3.3 Children's participation under Dagomba fostering

Under the UNCR the ultimate reference points for discussions of children's participation are Articles 12 - 15 (Sellman, 2009; White and Choudhury, 2007). Article 12 states that: 'every child has the right to say what they think in all matters affecting them, and to have their views taken seriously.' This means that a child should be able to speak on matters that affect him/her, including in legal or administrative proceedings and that the views of the child should be given due weight in accordance with the age and maturity. Articles 13-15 also confer on children rights to: freedom of expression; freedom of thought, conscience and

religion; freedom of information and freedom of association. However within these Articles, the Convention is somewhat equivocal on the issue of children's participation. This section explores and discusses children's participation in Dagomba fostering.

Conventional wisdom suggests, certainly in the 'Majority World' model when there is no state intervention as a result of abuse, that it is the parents that decide whether a child should be fostered or not. Furthermore, many studies of child fostering across the world report that children are rarely consulted before they were fostered, either to relatives or strangers, indicating no autonomy. However, it will be seen that evidence in this research shows a great deal of extent of child participation in decision-making.

The project of child participation starts from the conceptualisation of the child as an agent – capable of acting. The idea of the child who has agency is quite common in studies of children in developing countries (Hashim, 2004; Iversen, 2002; Nieuwenhuys, 1994; Ota, 2002; Reynolds, 1991). It has been widely used to counteract the idea of the child as simply passive. A number of authors have argued this 'passive' child is implied or constructed by western ideologies of childhood that stress childhood as a period of dependence (Edwards, 1996; James and Prout, 1990; White, 2002). However, as Young (2004: 471) has criticised the view that children are social actors because it can suggest that they could be regarded as no longer part of the family, free-floating and not bound by and to overall family connections. This section of the research explores how children exercise agency at two levels – at the time of fostering and when they are in foster care. It also draws attention to limitations on children's exercise of agency.

Child fostering throws a particularly interesting light on family relations because, in the short term, it disrupts an existing everyday and generally very wide set of activities between birth parents and children and, through spatial dislocation, makes some of these impossible. These activities include domestic work given and received, discipline and advice, socialisation and skills transfers, expressions of love and nurturance, and a wide range of economic and affective exchanges that make up those long term and short term reciprocities often described as responsibilities between birth parents and children. Child fostering dislocates these. Such dislocation may or may not be experienced by birth parents and children as a kind of rupture, but a rupture that is more profound can be indicated when children are fostered outside their geographical communities.

The findings on children's participation at the time of fostering demonstrate that all 42 respondents had some understanding of the concept of children's participation in relation to child fostering. They were also able to communicate their understandings clearly. For the children and young people, answers were provided to the question as they told the stories about how they think they were fostered and the role they played in the process. More than half of children and young people interviewed recognised their participation in their fostering and only a minority said they did not. Nyahsim, a 17 year old girl who was fostered at age 8 years shared her story and thoughts on her participation at the time she was fostered:

... I remember I used to visit my grandparents even at an earlier age but what was sort of strange about this particular visit is that when my mother came over to collect me on the Sunday evening for school the following day, I was kind of upset that I had to go home with her and I told her I was not ready to stay with her anymore and that I enjoyed staying with my grandparents more and wanted to live with them. They laughed me off initially. I guess they thought I was kidding but deep within me I knew that was what I wanted. So my mother took me home in spite of my protest. When we got home, I told my father too that I wanted to stay at my grandparents instead..... The following weekend, when I went to my grandparents for the weekend I told my grandparents that I really wanted to stay with them and help my grandmother. ... That's how I got fostered. It was all my choice. ...

Many such similar stories were told by the majority of children and young people interviewed. They felt it was mainly because of their views (voices and/or attitudes) that led to their fostering. These stories were corroborated by their birth and foster parents even though some parents did say that they already had fostering plans anyway. Therefore it is possible to think that perhaps the children and young people were encouraged in their 'choices' or nudged towards these by their parents because it was in line with an original plan by the parents.

Stories articulated by the minority group of children and young people who did not recognise their agency also stood out. For instance, Saha said that, *I couldn't have participated at the time of my fostering because I was a baby*. Similarly, Hawa who is now 15 years old said she did not participate when she was fostered at age 11. The circumstances leading to the fostering of both Saha and Hawa could help explain their lack of participation in their fostering situation. On the one hand, Saha lost his father when the mother was pregnant with Saha. So the mother returned to her family after giving birth to him. Five years later the

mother got married again and fostered him out to his uncle. Hawa lost both parents just before her 11th birthday. The family then decided to foster her to her aunty in the city so that she could have an opportunity to be educated. The circumstances surrounding the fostering of a child or young person can therefore deny them the right to participation regardless of the age at least on the choice of being fostered. They might however participate in deciding the timing and on who will be their foster parent.

Parents and professionals also gave their views on children and young people's participation at the time they are fostered or not. The views of parents were mixed with a slight majority favouring the notion that children and young people do participate. For instance, Sala's father suggested that, ... *because she was crying a lot, they and she said she wanted to follow her aunt home, that's why she was fostered*. Professionals on the other hand gave a general perspective on the subject matter and were also divided in their opinion. They gave age, culture and the circumstances behind fostering as the factors that can influence a child's agency at the time of fostering.

The findings show that another period during which children's participation is put to the test is when children are living with their foster parents. There were striking differences in the responses respondents gave here compared to the earlier question. It is worth recalling that an overwhelming majority of participants felt children do participate at the time of fostering. However, only a quarter of children and young people interviewed said they do participate after this and while in foster care. The quarter included: Osman, Maltiti, Abigail and Nyahisim. The majority of children and young people said they do not participate. On the same question, birth parents were unanimous in their responses that children do not participate when they are living with a foster parent. A third of foster parents however suggested that children do participate while living with their foster parents and that, children and young people are sometimes consulted on issues concerning them. They were quick to add that the ultimate decision-making is in the hands of foster parent, a right they seemed to pride themselves on. Professionals were also divided on this issue with a slight majority arguing that children do not have a voice while in foster care.

All respondents agreed that the ideal thing would be if children had a voice both at the time of initiation and during the practice but the reality is that they do not. Respondents were also of the opinion that children's participation or voice is negotiable and that birth parents as well

as children and young people could negotiate their relative positions in matters relating to the child's best interests easily most of the time.

7.4 'Bringing it all home': A reflection on responses

The best interests of the child like many other articles under the UNCRC is not easy one to practice. The chapter provides an analysis highlighting the complex and often arduous task of translating legal concepts including that of child rights between two normative or value systems into something practical. The conclusion provides a reflection on the challenge of conceptualising and understanding the principle internationally. The significance is to provide the means by which the substantive principle of a child's best interests is interpreted and measured under child fostering as practiced among the Dagomba.

The first challenge comes in the form of a linguistic gap. The fact that Dagomba do not have a terminology similar to the terminology in the dominant 'Minority World' discourse in their language makes its standard interpretation difficult. This challenge is tied into the question of how the people can understand the principle since the principle does not easily translate into the local language, Dagbani or any Ghanaian language for that matter. Overall, the majority of respondents felt it was difficult to easily relate to the principle as a result of the linguistic gap.

The second challenge identified by the respondents in the research was the lack of resources. Citing Mr. Iddris Abdallah:

I think there is a challenge because of certain factors... So the challenge depends on the availability of resources ... For instance, the best interests of the fostered child might be compromised if in a family there are limited resources and the foster parent has to provide for the needs of his own children and that of the foster child.

The lack of resources, for instance, compels most foster parents to be selective in the care they are able to provide for foster children.

Another challenge could be the lack of training on parenting and education on basic children's rights. According to Mrs Asamoah, *the challenge ranges from lack of training on parenting to basic education about children's rights*. She argued that even some parents who

are considered successful in parenting their own children will have a difficulty looking after others' children and that it is important that foster families are given some training on parenting and the basic human rights of children and young people.

There is a fourth challenge that has to do with illiteracy. An overwhelming majority of parents in Ghana do not have any form of formal education and cannot read or write in English. They therefore lack awareness on the UNCRC and children's rights in general. When Alhaji Alhassan suggested that, *poverty, illiteracy and ignorance are the main challenge*, he was most probably right.

The fifth and final challenge is that the principle does not neatly fit into the culture. Quoting Lawyer Ibrahim Mahama:

The fact that the welfare principle is in the UNCRC does not guarantee its universal applicability. The principle is but just words. In fact, words which are empty or meaningless to many of the citizens around the world including most countries constituting the international community.

Lawyer Ibrahim Mahama thought it is not by coincidence that people were created into nations and tribes. He added that, *it is wishful thinking to assume that there are universal principles applicable across board.*

In summary, therefore, the obvious practical challenges in fulfilling the best interests of the child under Dagomba fostering include:

- the linguistic gap
- financial challenges
- education and training
- cultural challenges and
- social challenges.

The linguistic challenge is expressed through a practical lack of literacy. The financial challenge can be seen in families that resist the promotion of the best interests of children when this seems to be financially detrimental, i.e. they are poor and the labour of children is still very crucial in supporting the entire family. The latter is associated with the educational

challenge expressed in the dilemma of the costs of schooling versus the financial benefit of retaining a child that can earn money. Culturally speaking, people can be challenged because they want to maintain what they are used to or do what they are comfortable with. They are socially challenged because in any quest to adapt and modify a practice, they may not be able to readily conceive of a replacement. This social challenge is therefore a hybrid of the lack of knowledge and the fear of the unknown.

7.5 Chapter conclusion

This analysis has considered briefly the ongoing debate in the international community about the universality of human rights. Examining the specific issue of child fostering, the chapter demonstrates how socio-economic and cultural considerations impact upon the determination of what is in the best interests of the child. It highlights the fact that there is a prioritization of needs so that in situations of economic difficulty the child's basic physical and educational needs are given primacy. Given the multiplicity of ways in which the child's best interests is interpreted under Dagomba child fostering, it provides justification for those who criticise it as vague by virtue of its non-specificity and its open-ended nature (Banda, 1994). But it can also be used by those in support of it as providing a litmus test to consider children on a case-by-case basis rather than passing judgement on them as a class or a homogenous grouping with identical needs, interest and situations (Kelly, 1997). Besides, if properly applied, the principle will be a worthwhile ultimate exercise in examining the individual child's developmental and psychological needs (Elrod and Dale, 2008). For instance, a child who needs to be fostered to enable him/her have access to education is treated different from another who needs to be 'hidden' away from his/her enemies – perceived or real. The views of respondents therefore contribute to the current debate about the concept of the child's best interests internationally. Finally, contrary to views suggested in the literature by (Belembaogo, 1994; Quashigah and Okafo, 1999; Falk, 2000) that there is a problem in promoting the principle within a society where traditional laws and practices are still cherished and strongly observed by many members of the community, the Dagomba seem to have a more pragmatic way of interpreting the principle which satisfies children and families although not in equal measure.

Chapter 8 Legislation and policy challenges in the traditional foster care system in Ghana

8.1 Introduction

This chapter explores and discusses the challenges of the legislation and policy environment regarding child fostering in Ghana. It traces the history of legislation relating to children in Ghana; it explores and discusses respondents' views on the nature and language of the existing legislation and policy; and it highlights the gap in awareness of the existing legislation and policy as demonstrated by the research respondents. The final section of the chapter discusses the legislation and policy recommendations by respondents and provides a reflection on this by way of a conclusion.

8.2 History of legislation on children in Ghana

This section seeks to highlight the relevant laws, regulations, guidelines, policies and plans of action that Ghana has put in place for its children and young people since independence. The aim is not to offer detailed discussion on these documents but to highlight their relevance to this research project. It is also to serve as a background to subsequent discussions in the chapter.

The Maintenance of Children Decree, 1977: The first piece of legislation in Ghana for children and young people after independence in 1957 was the Maintenance of Children Decree 1977. The Decree came as a result of recommendations made by the Ghana Law Reform Commission established in 1968. The Commission was given the task of reviewing statutory and customary laws and suggesting reforms. Its first programme identified inheritance and marriage law as among the main areas requiring attention. The Maintenance of Children Decree established Family Tribunals to hear complaints about maintenance of children during marriage and after divorce. It did not specifically cover issues relating to the fostering of child but laid the foundation for subsequent legislation on matters affecting the lives of children and young people including child fostering.

Intestate Succession Law, 1985: The Intestate Succession Law of 1985 was the second piece of legislation in Ghana that covered matters affecting the lives of children and young people.

It basically provides protection for children and young people in communities where they are not entitled to shares of their deceased parents' estates. For instance, children and young people born out of wedlock are denied their rights to inheritance within certain cultures and religions in Ghana. Similar to the Maintenance of Children Decree 1977, the Interstate Succession Law 1985 does not deal directly on issues of child fostering but can be seen to have laid the foundation for subsequent legislation.

The 1992 Constitution of Ghana: The 1992 Constitution of Ghana is currently the supreme legal benchmark of the country. In particular, the 1992 Constitution requires the State to be guided by international human rights instruments in discharging its obligations and mandates parliament to enact laws to realise certain children's rights, including: the right to measures of special care and assistance; the protection of children from exposure to physical and moral hazards from engaging in work that constitutes a threat to health, education or development, and from torture or other cruel inhumane or degrading punishment.

Under the 1992 Constitution, a Child Law Reform Advisory Committee was established in 1996 to help in the consolidation of laws relating to children and young people. The Committee has since legislated a number of laws and policies including the Children Act (Act 560) that provides protection for children and young people on matters that affect them.

The Children Act, 1998: The Children Act (Act 560) was passed in Ghana as a direct response to the requirement by the UNCRC for countries to take steps in incorporating the UNCRC into their domestic laws. The Act covers the rights of all children and young people in Ghana. It specifically captures child fostering under PART IV which provides general legislation on fosterage and adoption. In particular, Sections 62, 63, and 64 in Sub-Part I of PART IV deal with child fostering in Ghana. Section 62, for instance, identifies persons who can foster; Section 63 defines a foster parent; and Section 64 distinguishes between formal and informal fostering. This is relevant to my study because it provides the policy guidelines for the fostering of children and young people in Ghana.

Other pieces of legislation and policy: Subsidiary legislation that governs specific aspects of children and young people lives in Ghana include the Ghana Orphans and Vulnerable Children (OVC), and the Early Childhood Care and Development (ECCD). The specificity of these subsidiary legislations distinctly aligns them with a special group of children and young

people that might include foster children. It is therefore useful to note that although specific references are not made to fostering in these policy documents, this could be implied.

8.3 The language question

This section explores respondents' views on the language of legislation and policy in Ghana.

All 42 respondents suggested that they consider the language of existing legislation and policy in Ghana, regarding child fostering to be particularly, 'difficult' and 'complex'. For instance, the majority of respondents, including some professionals, suggested that they would find it difficult to understand the two basic policy documents that cover fostering and children best interests in Ghana – that is, the Children's Act and the Constitution of Ghana. While on the one hand children and young people made suggestions and appealed to government for something to be done about the current nature of the existing legislation and policy in the country, in their responses parents, on the other hand, were accusatory and cynical. Saha's comment below illustrates the position of all the children and young people. He noted that:

Because of our level of education we do not understand a lot of things in English. We are still learning. We can read some books and understand them but we can't read law books.

What Saha tried to put across was the fact that the nature and language of legislation and policy in Ghana is written in standardised language and does not factor in the level of education. Therefore, people who are either illiterate or have not yet developed their reading skills to the highest level will struggle in reading and understanding these policy documents. Commenting further, Saha observed that, *the Children's Act and the Constitution are law books, aren't they, Master?* Saha's views captured the sentiments of all the other children and young people. An overview of the children and young people was therefore that it would help a great deal if the Children's Act and the Constitution were written in a language children and young people could understand. This view was supported by professionals who were also unanimous on their call on government to take practical steps to help the majority of the people who cannot read or write in English to understand these basic policy documents. Making a recommendation, Mr. Iddris Abdallah of UNICEF appealed that:

The Ghana government should endeavour to break the language down to a simpler and easier one so that anybody could read and understand it.

Lawyer Ibrahim Mahama, Alhaji Alhassan, Rev. John, Dr. Salifu, Mrs Asamoah, Mr. Sylvester and Mr. Kumah all supported the recommendation made by Mr. Iddris Abdallah above. It will seem also that, the recommendation is similar to that made by children and young people earlier in this section.

Parents, on the other hand, read further meanings into why the nature and language of legislation and policy is made ‘difficult’ and ‘complex’. All twenty-one parents interviewed held the view that it was a deliberate ploy on the part of the government of the elite who they referred to as *karachi*. Suhiyi’s uncle’s expression exemplifies the sentiments of the group. According to him:

They (meaning the government or the elite) do not want us, the ‘black-headed’ people, to understand such documents, that’s why it is written in such a difficult language.

The majority of parents concurred with this view. Rahman’s father added that, *we know they profit on our ignorance*. He explained his position to mean that because the majority of parents can neither read nor write in English, those in government stand to profit from their ignorance. In his words, *if a karachi comes to tell us something about the law, who are we to question him/her?* Professionals disagreed with the parents’ view that it was a deliberate ploy on the part of government to deny the uneducated an opportunity to understand the legislation and policy of the country. While the majority of respondents in the professionals’ category are those considered *karachis*, the situation of the majority of the parents who participated in the research was that the majority of them could not read nor write in English. The positions of these two groups could not therefore be reconciled at the end of the day since both were coming from different viewpoints. It nonetheless provided the researcher a glimpse of how each category perceives one another on matters of rare interests such as the nature and language of legislation and policy.

In summary, it was obvious from the interviews that the nature and language of legislation and policy in Ghana is commonly agreed to be ‘difficult’ and ‘complex’. This stands as a barrier to people understanding and making sense of these instruments. It seems then that the

characteristics that mark legislative and policy language as a separate style of language are the same characteristics that prevent it from communicating efficiently to its users. While not merely seeking to highlight the oddities or maximise its areas of dysfunctionality, the section has provided a useful attempt in demonstrating the extent to which the nature and language of legislation and policy has been a barrier to ordinary people understanding and making sense of it and some broader conceptual issues regarding colonial histories, relationships between people and their law/policy/governments.

8.4 Respondents' awareness of existing legislation and policy in Ghana

This section explores respondents' awareness of the existing legislation and policy regarding child fostering in Ghana. Of all 42 respondents, about two-thirds expressed their lack of awareness about the existing legislation and policy. The two-thirds included all children and young people except Sala, all parents and three professionals. The majority of this group simply said that they were not aware of any existing legislation and policy regarding the fostering of children and young people in Ghana. Some respondents questioned whether there was even such legislation and policy. Quoting Nyahsim's mother, she said:

I am not aware of any such policy. Is there a government legislation and policy on how we should foster our own children and young people?

Nyahsim's mother's comment typifies the general lack of awareness on the part of parents of the existing legislation and policy regarding fostering in Ghana. It also coincided with the views of the minority of professionals who were less conversant with the existing legislation and policy. This group of professionals included: Mr. Kumah of the Ghana National Coalition on the Rights of Children in Ghana, Dr. Salifu, of the Media Commission and Alhaji Alhassan of the Muslim Council. Quoting Mr. Kumah, who was not very familiar with the relevant clauses or articles but had some general ideas, he said:

I admit I am not too conversant with the relevant articles or clauses but there is a piece of legislation in place. My guess is also that there is the tendency of looking at informal fostering as a normal traditional practice which does not need government regulation. It is therefore taken for granted hence legislation may be silent on it.

He was speculative that any legislation and policy in Ghana on fostering is likely not to capture the traditional way of child fostering partly because in his words, *a lot of such cases do not normally come to the attention of relevant authorities* and partly because he thought there was a lack of data or no documentation made on such cases. He concluded that *it will be usually difficult to monitor fostering within the informal sector*. Dr. Salifu's submission picked up from where Mr. Kumah's ended when he noted that:

I guess any such policy framework will be operational at two levels – formal policy level and traditional level. At the formal policy level, I will imagine that children are fostered through the courts where this has to be negotiated officially. It will require the consent of both birth parents and foster parents. It will also be supervised by a competent court of jurisdiction. However, at the traditional level, children are fostered in and/or out based on confidence and trust within and between families. Society observes and posterity judges.

Alhaji Alhassan's views were similar to that of Dr. Salifu's and Mr. Kumah. Admitting that he was not too familiar with the existing legislation and policy of fostering in Ghana, he suggested that as a result of the diversity in the way children and young people are fostered, any such legislation and policy need to be based on a wider consultation bringing on board the views of all cultures, and religions.

Exploring the views of respondents with some awareness of the existing legislation and policy regarding fostering in Ghana, Sala, the only young person who said she had some awareness of the existing legislation and policy, mentioned that she had heard about it via the radio. In her words, *yes, I do. I have some ideas about it through the radio but I have not read or seen it*. The majority of professionals also had some awareness of the existing legislation and policy regarding child fostering in Ghana. This group included those who work directly with such legislation and policies or were lawyers by profession. For instance, Mr. Sylvester of the Department of Children who is the head of their research, policy monitoring and evaluation, demonstrated much knowledge of the existing legislation and policy in Ghana. He pointed out that:

There are pockets of fostering covered in some government policy and legislation such as the Early Childhood Development Programme, the Policy on Orphans and Vulnerable Children as well as the Children and Gender Policy. Most importantly, the country is drafting a national child protection policy where there is section for fostering.

A similar level of awareness was demonstrated by Lawyer Ibrahim Mahama, a private legal practitioner, Mrs Asamoah of the Department of Social Welfare, and Mr. Iddris Abdallah of UNICEF. Mrs. Asamoah added that:

We have the Children's Act and another, the IL 1705. These spell out among other things the procedure of fostering in Ghana. But there is no clear cut policy on fostering in Ghana. I wish to also state that the Department of Social Welfare is currently drafting regulations and guidelines on child fostering in Ghana.

She explained that the government as part of care reform initiative is considering other policy initiatives on child fostering in Ghana. Commenting on the scope of the existing legislation and policy on fostering in Ghana, Mr. Iddris Abdallah of UNICEF observed that:

At the time of passing the Children's Act in Ghana, it was largely informed by the exodus of foster children into urban centres in search of 'greener pastures'. Poverty was a push factor and the attraction of economic activities in the urban centres were the pull factor. The government needed to do something urgently but the reality was that the numbers of foster children in the informal sector were overwhelming. So in order to ensure that at least those in formal foster care do not also suffer abuse and exploitation, this category of children were the emphasis in the Act. The clause therefore was deliberately done so that children in formal foster care are not trafficked, abused, neglected and/or exploited or are forcefully engaged in child labour or the worst forms of child labour.

He conceded that the existing legislation and policy is not comprehensive enough and that it should ideally have been broader so as to cover the informal sector. This raises the question of Ghana like most countries in the 'Majority World' uncritically implementing international treaties that they sign into their domestic laws. At least someone within the Ghanaian legislature should have identified the gap between policy and practice if it was debated before being passed into law.

In summary, the responses on respondents' awareness of the existing legislation and policy in Ghana regarding child fostering were mixed. While children and young people and their parents were largely unaware of the existence of these legislations and policy, the majority of professionals demonstrated an extensive level of awareness. These views undoubtedly have implications for the implementation of such legislative instruments and policies. At least legislation and policy awareness will facilitate disclosures about wrongdoing, ensure that any such disclosures are properly dealt with thus ensuring that children and young people are well

protected from abuse, neglect and/or maltreatment. Better legislative and policy awareness will also provide a benchmark to measure its adequacy, accessibility and relevance from time to time. While a measure of the adequacy of legislation and policy will justify its sufficiency, a measure of its accessibility will prove its usability and a measure of its relevance will justify its applicability. The research did not specifically ask participants about their views on each element but the answers provided gave clues to suggest the adequacy, accessibility and relevance of the existing legislation and policy regarding child fostering in Ghana.

8.5 Respondents' recommendations for legislation and policy

All 42 respondents put forward one policy suggestion or another. Even though most of the policy suggestions targeted government, some were family focused. The highlights of such recommendations are presented and discussed in this section.

Across the board, all respondents were unanimous in their call for government to enforce free compulsory universal basic education (fCUBE) for all children. Saha's commented that, *...government should insist that all children including those who are fostered must be sent to school*. This view was echoed in the views of all other children and young people. Rev. John of the Christian Council in his support of the call for government to make it mandatory for all children to be sent to school noted that:

Education is like the price of petrol. Once the price of petrol increases, the price for every other commodity increases.

The call was therefore on government to make it a point that all children of school-going age, whether living with their birth or foster families, be given the opportunity of an education. This point is significant to note because although Ghana has implemented a free compulsory universal basic education (fCUBE) for all children in the country, there is evidence that a some children both in cities and in villages still do not make it to school. The country currently has an enrolment rate of 87% according the World Bank statistics (World Bank, 2013). The opportunity of education for all recommendation was corroborated by other professionals and parents.

A second recommendation made by respondents was that the government and NGOs working with children and young people should provide families with training on parenting and come out with standardized guidance and guidelines on how to discipline children in the home. The majority of children and young people as well as parents made this recommendation. Quoting Abigail:

Some of the foster parents must be supported by way of training because their methods of training children are out of date. So they should be trained in modern ways of raising children.

Suhiyini, Zara, Hawa, Nyahsim, Saha, Rahman, Muni, Sala, Osman, Maltiti and Hassan all agreed with Abigail. A similar view was expressed by Muni's mother when she noted that:

Parents need training on the impact of discrimination against foster children especially when it comes to the issue of accessing formal education as well as pertinent issues such as abuse and neglect.

Her view was concurred by Osman's mother, Nyahsim's mother, Suhuyini's uncle, Zara's aunty and Abigail's grandmother. This group suggested that any training on parenting that offers a combination of their culture and what the government considers 'children's rights' will be great for everyone. There seems to be a wish for more state intervention, a sense of the need to 'modern' while still respecting 'culture' (as if these are juxtaposed). Another legislation and policy recommendation suggested was that families need to be better informed on the existing legislation and policy as well as other related matters on child welfare. Quoting Hassan's mother:

The government should educate foster parents on the legislation and policy that protects foster children. Civil society organisations should also be encouraged to partner with government to research more into some of these cultural practices because they are hugely important.

Her recommendation was supported by other respondents' such as Muni, Nyahsim, Rahman and Osman.

A fourth recommendation by respondents was that the government should develop and encourage, 'whistle blowing' – that is individuals reporting cases for someone to intervene. Respondents explained that 'whistle blowing' together with other recommendations if

implemented successfully, will go a long way to protect children and young people from abuse and neglect. This view was espoused strongly by Osman's mother.

A fifth recommendation made by the majority of parents was that government should provide families with some form of financial and/or other material support. They argued that most of these families who foster children are poor. The group admitted that this reason is behind some families' need for the labour of their children and young people. It therefore stands to reason that if government was to provide these families with some form of financial or material support, it would go a long way to helping them look after these children and young people better. In the words of Rahman's father:

Government can also support such families financially. Anything that can better the lot of the foster parent and the foster child will be a good idea. Poverty is the main difficulty of most families.

The parents also noted that they need support of any form, either from government or NGOs to help them in taking care of the children and young people. This recommendation raises an issue for the need for social protection to assist vulnerable families and prevent the breakdown of many others. Ghana currently has the LEAP programme which is a component of the national social protection strategy. LEAP programme provides cash transfer to vulnerable families including some who foster children and young people – but either it is not reaching most of the families or is insufficient.

A sixth recommendation was that future legislation and policy should be more practical and participatory. Respondents explained this to mean that legislation and policy need to promote the active participation of children in the process and procedure of fostering and should it also be better suited to the socio-cultural realities of the people. Such legislation and policy it, was argued, will promote acceptance and application. Citing Lawyer Ibrahim Mahama:

... Any legislation and policy in this regard should conform to our existing customs and traditions ... Such legislation and policy should also be based on research and consultation and must not aim at universality but should consider the culture of the people.

Dr. Salifu supported Lawyer Ibrahim Mahama's recommendation. He also suggested that since the people are influenced by their immediate surroundings and their cultural world

views, the government should adopt more effective implementation strategies based on the culture of the people. The policy they suggested should also target socio-cultural practices that are inimical to the survival and development of children. Another recommendation made by respondents was that there is the need for government to encourage research and collaboration between government and the local people. In the words of Alhaji Alhassan:

There is the urgent need for collaboration between the government and other stakeholders within communities. The government also needs to encourage practical research regarding our cultural practices and should seek ways of improving them.

Mr Kumah and Mr. Iddris Abdallah supported Alhaji Alhassan's recommendation. They called it a pathway to service revival. The last but not the least of the recommendations made by respondents was the need for the government to put in place a general child protection system. This recommendation was championed by Mr. Iddris Abdallah. He suggested that:

... as a social worker and a child protection specialist, I will like to talk about children in general instead of narrowing it to children under fostering. It should offer general protection for all manner of children. This will take care of abuse, neglect, and exploitation. The policy should also focus on developing a communication strategy to engage both families and the generality of all Ghanaians.

A general child protection system in placed will help promote the rights of all children in Ghana with an emphasis on positive parenting.

In summary, I have explored and discussed respondents' recommendations for legislation and policy in the fostering sector in Ghana. The general call was on government to legislate on parenting, provide training and education on better ways of parenting, encourage research and collaboration, provide financial and other material support for families and to put in place a child protection system. It was also suggested, overwhelmingly, that NGOs should play a role in the fostering sector in Ghana. Finally, while respondents saw the need for maintaining their culture, there were suggestions for the need for government to intervene in case of child abuse and/or neglect.

8.6 Chapter conclusion

The chapter has explored the legislation and policy challenges in the traditional foster care sector in Ghana and respondents made recommendations for future legislation and policy regarding the practice. In effect the chapter has emphasised the adverse impact of writing legislations and policies in a foreign language such as English in countries such as Ghana or legalese. These adverse effects are highlighted in the comments of respondents. The chapter concludes with suggested recommendations for future legislation and policy in the traditional care sector in Ghana.

PART FIVE

Chapter 9 Conclusions and recommendations

9.1 Introduction

The research study focuses on the Dagomba, although the outcome and recommendations made are in some measure characteristic of many ethnic groups in Ghana and by extension much of Africa. Throughout the study, I have explored the cultural conceptualisations and understandings of child fostering and the concept of the child's best interests among the Dagomba of northern Ghana as well as the policy implications. In this final chapter I briefly reflect on the key findings of the research and the key emergent themes discussed under part four of the thesis which constitute the four findings chapters. In all of these four chapters, the views of respondents including children and young people, parents, and professionals working in the policy sector that concerns children and young people were discussed. The conclusions of each chapter highlighted the key findings discussed throughout the study and are presented by way of an overview in the first section of this chapter. In the second section of the chapter I flag the main implications of this research and how it contributes to theory, practice and policy. Finally, I reflect on the limitations of the study and areas for future research.

9.2 Research conclusions

The overall aim of this study was to explore the cultural conceptualisations and understandings of child fostering and the concept of the child's best interests among the Dagomba of northern Ghana as well as the policy implications. The three main research questions for the study were:

1. How do the Dagomba understand and practice the fostering of children?
2. How do the Dagomba conceptualise the best interests of the child in fostering their children?
3. What are the legislative and policy challenges of the responses to RQ1 and RQ2?

In Chapters 5 and 6, I explored and discussed how the Dagomba understand and practice the fostering of children seeking to address RQ1. Chapter 5 specifically discussed respondents'

understanding of the language and terminologies, the broader meanings of the practice, respondents' views on the importance of the practice as well as their perceptions and attitudes to the practice. Chapter 6 explored the 'Doing bit' of the practice that included: respondents' views on who the Dagomba foster, the performance of rites, processes and events; post-placement dynamics and other matters of child welfare; the role and importance of relationships; as well as the issues, outcomes and challenges of the practice. The final section of Chapter 6 reflected on how Dagomba fostering differs from fostering elsewhere and how this contributes to an increased understanding of the practice globally.

The findings suggest that child fostering for the Dagomba is seen to be embedded in their conceptions of society, family, childhood, child rearing, and educating the child. The practice also seeks to promote the best interests of the child although this was subsumed in the best interests of the family or sometimes the larger community. The findings also demonstrated narratives about the traditional Dagomba way of fostering children. It was found that fostering among the Dagomba does not have a pejorative meaning and it is still negotiated privately within and between families – although the evidence in this research, apart from one case, demonstrates negotiations within the extended family. The findings also suggested that the practice does not always seem to guarantee the best interest of the child, primarily because it is done with the interests of the larger family at heart. The duty or responsibility to protect the child against abuse and neglect under the Dagomba fostering system rests on the shoulders of the family or community, and not the state. There are suggestions of checks and balances where the family or community police the affairs and welfare of foster children by means of collective exchanges and one-to-one discussions, a process which is ultimately guided by male authority figures.

Dagomba fostering was also seen to be based essentially on a socio-cultural practice of transferring parenting responsibilities to either family or friends. It is largely negotiated privately within and between families and considered temporal and reversible in theory. In reality however such fostering is neither temporal nor reversible except under exceptional circumstances. In practice, the Dagomba mainly foster to enhance their family ties (Ainsworth, 1967; Castle, 1995; Goody, 1982; Luomala 1987; Mahama, 2004; Oppong, 1973) and provide the child with an opportunity to attend school and/or learn a trade (Castle 1996). On the other hand, fostering elsewhere, such as in the UK, is a temporal and reversible relocation of children and young people, regularly instigated and negotiated by the state. The

motivations for fostering children in the ‘Minority World’ context may include cases when the child requires welfare and protection that cannot be provided by their family. This is not the primary case in the Dagomba model.

The Dagomba’s practice is traceable to the fundamental belief that it is not only the birth parents of the child who should take care of the child or have the duty of care for the child (Goody; Kuyini et al; Mahama; Oppong;). This belief is manifested in a number of their sayings - for instance the saying ‘*yonda gari tohira*’, which means that someone who takes care of a child is considered more important in the life of the child than the birth parent. It is also manifested in their notion that the child belongs to the extended family and the society at large, not just to the birth parents.

Overall, the majority of respondents appeared happy with the Dagomba practice of fostering in principle, although the findings also signalled that some respondents were unhappy about elements of the practice as discussed in Chapters 5, 6 and 7. Children and young people’s views on the practice, in general, depended on their own experiences and circumstances. Those with positive experiences mentioned love, affection and opportunity for an education as reason(s) behind their positive experiences, while the unhappy ones cited experiences such as physical and emotional abuse as well as neglect for the reasons behind their negative experiences.

Parents as a group were the least critical of the practice, compared to children, young people and policy makers. Some parents, though, who experienced fostering themselves in their childhood, said they were less inclined to foster in and/or out today. This apparent contradiction can be resolved by observing that most parents (including those who had been fostered themselves) remained appreciative of the practice generally and saw it as ultimately altruistic – valuable to the Dagomba culture, families and their communities. Such a finding echoes Silk’s research in Oceania that highlighted the altruism in the practice; at the same time, Silk suggested that foster children are more likely to be treated more harshly, allocated fewer resources and have less opportunities (Silk, 1987). Thus, individual experiences may vary for children and parents, influencing their views about participating themselves in fostering in the future. However, in principle, parents were supportive of the practice for family, community and cultural reasons.

Some professionals questioned whether Dagomba fostering still meets its traditional objectives, such as providing a safety net for children and young people. Mrs Asamoah and Mr. Iddris Abdallah, for example, cited instances of foster children engaging in child labour, and/or suffering abuse, neglect and exploitation in the hands of their foster parents. The majority of professionals remained positive about the practice. The majority view was that concepts such as child labour, abuse, neglect and exploitation mean different things to different people depending on the context. As far as the professionals were concerned, Dagomba fostering was a cultural practice that should be continued.

The findings in this study highlight the potential of Dagomba fostering arrangements to provide, generally, positive outcomes in the future for children who may be placed in kinship care by Ghanaian welfare workers as part of meeting the requirements of the child rights law. However, the difficulties experienced by some of the children, including some forms of abuse, remain important issues to be addressed. The findings send an important message about children's needs in environments where extended family relationships are celebrated as well as where they seem overshadowed by formal child welfare systems. Indeed, a child's greatest need may be for a sense of belonging and to know that one is a valued part of the whole, arguably one that is provided by the Dagomba model and not that of the 'Minority World'. However some of the inconsistency of these findings on child fostering point to the difficulty or even inappropriateness of making generalizations about the experiences of fostered children, and of attempting to describe the best interests of a 'typical foster child'. Essentially the only element that unites the children in this study is their experiences of being raised by persons other than their birth parents.

Another important function of Dagomba fostering is that it provides support to the foster parents for their economic and health needs. The research demonstrates this in a number of ways. In terms of economic support, all foster children (and particularly those who are fostered to learn a trade) normally engage in some form of economic activity. For instance, a child fostered to a business woman/man will engage in hawking after school, which helps the foster parent economically. Foster children also support the health needs of their foster parents, especially those fostered to their grandparents. For instance, the foster child might be responsible for looking after the basic needs of the grandparents while living within the extended family home. Depending on the age of the child, the foster child may cook for the foster parent and sleep in the same room with the foster parent. The foster child therefore

becomes the first contact in case the grandparent is unwell, especially at night. Thus fostered children can contribute to foster parents' economic and health needs. As such they can be regarded as an asset to foster families.

Chapter 7 explored how the Dagomba conceptualise and understand children's best interests in fostering their children. The study reveals that many factors inform the Dagomba conceptualisation and understanding of children's best interests, including their experiences of the past, the present as well as the imagined future. In particular, respondents established three lines of conceptualising children's best interests under Dagomba fostering. These lines of conceptualisation were: the *'things that make children happy now and/or in future'*; *'educating and training the child'*; and *'providing children with opportunities necessary to enhance their safety and preventing them from harm, abuse and neglect'*. In terms of how the Dagomba understand children's best interests and implement this, the data were analysed in relation to the three other key principles under the UNCRC - non-discrimination, the survival and development of the child and child participation. The study established a relationship between children's best interests on the one hand and non-discrimination, child survival and development as well as child participation on the other. What was established is that the ideal thing is to have all three key principles in order to guarantee children's best interests. However, it was also found that depending on the circumstances of the child, only one, or a combination of more than one of the three key principles, can be considered to have met the best interests of the child. The Dagomba do not give equal weight to all contributing key principles because some of them are not considered by them to fully meet the best interests of the child. The principles were ranked in the following order of priority: survival and development of the child principle, non-discrimination and then the child's participation. This supports the literature on children's rights which argues that rights can be ordered (Khadka, 2013). The best interests of the child was interpreted as a relative term and depending on the category of respondents, this was explained variedly. There were also varied opinions on who determines or should determine a child's best interests and whose voice should be heard in situations when there is conflict. Overall, the understanding was that although there is some participation by children, particularly at the instigation of parents if old enough, the foster parents, however, ultimately had the say when children are with them.

The evidence provided in the analysis questions the universality of the best interests of the child concept. It demonstrates how socio-economic and cultural considerations impact upon

the determination of what is in the best interests of the child among the Dagomba. It also highlights the fact that there is a prioritization of needs so that in situations of economic difficulty, the child's physical and educational needs are given primacy.

The final empirical discussion in Chapter 8 explored respondents' views on the legislative and policy challenges in their responses to RQ1 and RQ2. The policy implications of child fostering in Ghana include social issues such as child labour, child migration and education. Other key issues discussed in the chapter centered on the language of legislation and policy in Ghana. Public awareness of existing legislation and policy was raised as a challenge. Respondents identified that there is an uncritical importation and application of internationalised concepts such as children's best interests. However, I argue that a chief limitation of legislation and policy on practice is the language in which such legislation and policy is written. There seem to be a pattern of hypocrisy in the development of legislation and policies in most if not all 'Majority World' countries, partly, it seems, to meet the letter of international standards, and partly as a by-product of colonialism, that is a deference to the superiority of the internationally-formed laws. The danger is that this overlooks the impact on the lives of the ordinary citizen. Respondents also made recommendations for future legislation and policy regarding the practice including ideas of state intervention but maintained that there is still the need for this to be balanced by awareness and respect of local culture.

9.3 Research recommendations

This section presents the recommendations of the study in three areas – theory as well as practice and policy.

9.3.1 Recommendation for theory

The outcome of this research study helps explain Silk's Kinship selection theory, which suggests that foster children may be made to work harder, may be allocated fewer resources, and/or may be treated harsher than birth children (Silk, 1986). However in this research study, respondents explained that such allocations and treatment are not always done nor interpreted in a negative/pejorative sense. While not perceived as ideal, such allocations and treatment

are nonetheless seen as a way of ‘toughening up’ foster children to enable them to meet future exigencies. This departs from the ‘Minority World’ conception of childhood as a period of ‘love’ and ‘romanticism’ (Woodhead and Montgomery, 2003) but lends support to the assertion that children and childhood are not truths of nature but socially constructed (Qvortrup, 1994). This theoretical understanding is a crucial finding because it highlights the existing fundamental difference in terms of world views and understanding of children and young people between the ‘Majority World’ and the ‘Minority World’. While the former see them as ‘vulnerable and incompetent’ (Stephens, 1995); the latter see them as ‘capable and active agents’ (Hill and Tisdall, 1997; James et al., 1998, Woodhead, 1999; Qvortrup, 1994; James and Prout, 1990).

As discussed in Chapter 7, understandings of the best interests of the child principle included other accompanying principles such as non-discrimination, child survival and development, and child participation. The contributions of these accompanying principles to a fuller understanding of the best interests of the child principle are as follows. Firstly, the principle of non-discrimination means that no child should be treated unfairly or discriminated against on any basis and that children have a right to be protected actively against all forms of discrimination. The right to non-discrimination is not a passive obligation, prohibiting all forms of discrimination in the enjoyment of rights under the UNCRC, but also requires appropriate proactive measures taken by the state to ensure effective equal opportunities for all children to enjoy the rights under the UNCRC. Secondly, under Article 6 of the UNCRC governments are to ensure that all children survive and develop to the maximum extent possible. Thirdly, child participation at the basic level, according to Oswell (2013), refers to the capacity to do things. The term is often deployed in childhood studies as a means to emphasise the capacity of children to choose to do things or not (Archer, 2000). With their ability ‘to choose to do things’, individual choice, self-determination and the absence of external constraint or direct force, children’s participation is made meaningful (Archer, 2000). The research findings suggest, for instance that, more than half of the children and young people recognised their participation in one way or the other in the processes that led to their fostering and even sometimes when they are living with their foster parents. This view was supported by parents and professionals. This research study therefore contributes to a nuanced finding in which a child’s individual choice is neither dominant nor submerged in terms of their participation.

In previous research on child fostering or similar practices, the usual thing is to engage with, at most, one of the UNCRC principles or concepts and see how it measures up to the practice. This research departs from that and aims to establish a fuller understanding of the relationship between the best interests of the child principle and these other key principles. Indeed, there has been a dominant legal-ethical rhetoric underpinning the use of the best interests principle in both legislation and policy; Article 3 of the UNCRC 1989 and regional and national child welfare legislation are commonly cited. Yet, as chapter 7 highlights, there is considerable ambiguity regarding the principle even under Article 3 of the UNCRC. The reality is that, in Ghana in particular, the principle has been uncritically accepted over the years at the policy level and fully incorporated into the legislative and policy framework regarding children and young people. But the principle may be seen as both foreign and conflictual to people's culture, making implementation of such legislation and policies particularly difficult if not impossible.

An appreciation of the Dagomba's concept of fostering suggests a shift of focus from a more 'Minority World' emphasis on individual rights towards a collective rights perspective. Such a consideration may chime with some of the writings on the new sociology of childhood. These highlight an over-emphasis on the focus of the concept of the child as an individual that may be counter-productive as this may overlook the need for children and young people to have a family and belong to a wider community (Bourdillon, 2000; Morrow, 2003; Punch, 2002; Qvortup, 1994; Woodhead, 1999). It also contributes to the debates about individual choice and child participation by placing emphasis on a constant acknowledgement of context; in this case culture, nation and Africa where collective rights is a means of ensuring children are both taken care of and heard.

Given the multiple ways in which a child's best interests are interpreted under Dagomba fostering, the research provides justification for both the critics and supporters of the principle. Contrary to the notion that there is a problem in promoting the principle within societies where traditional laws and practices are still cherished and strongly observed by many members of the community (Belembaogo, 1994; Quashigah and Okafo, 1999; Falk, 2000), the Dagomba seem to have a more pragmatic way of interpreting the principle that satisfies all parties involved although not in equal measure nor is it always acknowledged. For instance, a Dagomba fostering arrangement is dissolved automatically if the child runs away from the foster family for the third time. The dissolution is done in order that the child

may live in a stable family instead of shuffling from the birth family and the foster family. This can be seen to be in the best interests of the child ultimately, although the families normally will agree that it is the gods who do not wish for the success of the particular fostering arrangements.

9.3.2 Recommendations for policy and practice

The research has demonstrated that successful outcomes from the transfer of children between families may be more likely in the Dagomba way of child fostering than fostering in the 'Minority World'; partly due to the different rationales for child fostering, and partly, as a result of the subsequent situations. For instance, statistics in the UK suggest a 50% chance of foster care break down in teenagers (Wilson, Sinclair, Taylor, Pithouse and Sellick, 2014). Similarly, varying opportunities available to children and young people as well as families through Dagomba fostering demonstrated the importance of social bonds within and/or between families. These results are consistent with research in other parts of sub-Saharan Africa that demonstrates the vital importance of social networks in the training of children and young people and many other economic outcomes. It helps explain a longstanding tradition that the child belongs to the extended family, community and nation rather than the nuclear family. In fact, historical analysis suggested that the practice promotes reciprocity and family solidarity.

Respondents understood that their fostering practices, its significance, and the rituals that take place necessarily change over time. The majority believed that this particular form of child fostering had adapted in keeping with expectations such as the need for children's schooling, and, as such, the impression that emerged was of a commitment to their approach to fostering and a belief that it was dynamic, keeping up with the times. The practice is embedded in the people's conceptions of family and child rearing. As argued throughout the findings chapter, the Dagomba fostering practice is essentially a socio-cultural means of transferring parenting responsibilities to either family or friends. It is largely negotiated privately within families but can sometimes be carried out between families. Primarily the Dagomba foster to enhance their family ties. The research also reveals that the temporal nature of fostering could also mean forever in the Dagomba case. The practice can however be reversible if there are exceptional circumstances. On the other hand, fostering in the 'Majority World' tends to be a

temporary and reversible relocation of children and young people often negotiated by the state. Perversely, security for the child may be thus less guaranteed in the 'Minority World' model.

Attempting to understand the way Dagomba foster their children and young people disconnected from the context will hold little explanatory value. There is concern that the way the Dagomba foster their children and young people might appear fixed or relatively static or even 'backward'. The complexities in defining child fostering are clear from this research. Attempts to measure the benefits of child fostering, as if it were an attribute received by an individual child in a specific relationship, are problematic. Such aspects of the practice suggest a more complex nature of child fostering and, introduces matters of community and family, culture and nationhood that have hitherto been under researched in the 'Minority World' canon of child fostering literature.

Given the widespread nature of the practice and limited public resources which make monitoring of all children in kinship care immensely difficult, it is recommended that Ghanaian authorities provide community-wide education on child rights and training for carers in terms of children's needs as steps towards reducing the chances of child abuse. Such community-wide action will facilitate the cultivation of enabling fostering environments for improved quality of care, as Ghana develops towards a future with more welfare worker involvement in kinship foster care. Any form of support to foster carers for their economic and health needs will be helpful and the current care reform initiative could adopt such practical steps to help improved the current situation of foster children in the country.

Drawing from wider policy thinking, the way Dagomba foster their children, sometimes over long distances, rekindles debates on the relationship between the practice and other social issues such as child labour, child migration and child trafficking and suggests that existing definitions, e.g. of child migration and trafficking, need to be precise. The widespread practice of child fostering suggests that this is an area that should be considered in policy and practice for children and young people in Ghana. This may appear simple, but I would argue that this presents significant challenges given the remote nature of current legislation and policy on the practice in Ghana. An understanding that some conceptions of child fostering

can be associated with that of issues such as child labour, child migration and child trafficking should encourage the state to put in place clear and explicit legislation and policy.

Given the multiplicity of ways in which the best interests of the child principle can be interpreted, governments have a duty, as the ultimate guardians of children, to insist on a 'baseline' standard of human rights to ensure that children are protected and are able to attain their full potential even when fostered. This study acknowledges the above basic fact but at the same time problematises the uncritical adoption and implementation of international human rights principles in most 'Majority World' countries today. It stresses the need for states to always consider giving due regard to their specific geopolitical and socio-economic state of affairs.

Finally, on a more practical note, the use of poetry, drama and play was identified as a better way of promoting child welfare principles instead of 'hiding' them in pieces of legislation, where if they are read at all, they are either misunderstood or ignored. Legislation can be misunderstood because it is written in the English language, which is not easily accessible to the majority of Ghanaians, and legislation can be ignored because the government agencies responsible for implementing such policies lack the resources or political will to do so. In Ghana, most state owned child welfare agencies such as the Department of Social Welfare and the Ministry of Gender, Children and Social Protection are poorly resourced in terms of both personnel and facilities. It is therefore difficult to implement most legislation and policies effectively.

9.4 Reflections and future research

Qualitative researchers have long recognised the importance of developing relationships in a research study. Indeed, I recognised my own interest in the use of child friendly or age appropriate research tools as demonstrated in the use of 'spider diagrams' with children and young people (Punch, 2002). In my findings and analysis in chapters 5 through to 8, 'the spider diagram' was particularly successful. On reflection I realised that there were issues that were captured on the 'spider diagram' but not through interviews.

The research achieved the objective of exploring the views of children and young people, parents and professionals on how Dagomba child fostering helps in understanding the concept of children's best interests. I have explored the diversity within this subset of research participants; children and young people were recruited via schools, parents (as a derivative of child participants) and professionals through the various departments and agencies working in the child welfare sector in Ghana. An attempt was made to have equal representation in terms of numbers for children and young people in order to control any gender bias. A similar arrangement would have been ideal in the case of parents and professionals but this was not feasible in practice. In the case of parents, interviews were conducted with those available and willing to participate and in the case of the professionals, knowledge and expertise were key in the selection of participants. I acknowledge the fact that a number of children would have missed the opportunity to participate or be represented in this research – e.g. those out of school either as a result of a lack of opportunity or they might have dropped out for some other reasons. Additional consideration could have been given to children with disabilities and different communication styles as well. There was no single child with a disability in the current research.

A further question and critique of this study may be a concern with the number of participants. In the early stages, I considered using surveys and conducting focus groups with participants. However, I began to question what this would achieve given my primary interest was focused on exploring deeper meanings relating to the experiences of participants. From the onset, I also nursed and considered the merits of an ethnographic study. In my study, I had become aware of the fluidity of some children and young people's circumstances (for example, where they lived) and exploring this over a longer period would have been exciting and illuminating. But I had originally discounted using an ethnographic approach due to the limitation of time for a PhD study and the availability of funds. The outcome of this study has demonstrated to me that a further, more longitudinal, study of Dagomba child fostering, and how this interfaces with the concept of children's best interests, over a longer period of time may be a worthy venture. Finally, I think that engaging in a qualitative research study involving participants across ethnic groups could also be a future priority.

9.5 Final thoughts

I came to this research with the thought that the ‘Minority World’ model of fostering children was perhaps better than child fostering in the ‘Majority World’. My thought was primarily informed by the fact that fostering in the ‘Minority World’ is regulated by the state and supervised by social services. The research findings have however educated me on the relevance of tradition and culture in the fostering of children in the ‘Majority World’. The research findings have also reminded me of the Dagomba adage that, ‘perhaps the person who calls a wooden chair an antique is no more correct than the one who views it as junk: each of them might just be coming to the chair with different experiences, knowledge and perspective.’ This is what I have learnt from this research: that the fact that there is less legislation and little or no state regulation of the practice in Ghana does not make it worse than jurisdictions where such legislations and state regulation are in place.

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Appendices

Appendix I: Letter of introduction



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27th September 2012

To Whom It May Concern

Letter of introduction

Kamal D. Ibrahim is a PhD research student at the University of Edinburgh. He is researching into **‘Child fostering’ among the Dagombas of northern Ghana and its implication in conceptualising the ‘best interests’ of children under the children’s rights framework.** The research will involve conducting interviews with children, parents and policy makers. It is solely for academic purposes and the proposed fieldwork has gone through the University of Edinburgh’s research ethics procedures.

As his principal supervisor I would be grateful if you could assist him with his fieldwork.

Thank you.

Yours sincerely,

E. Kay M. Tisdall

Professor of Childhood Policy

Appendix II: Research information sheet

Purpose of the research study

My research aims at getting your views and understanding on child fostering and children's best interests.

Who is conducting the study?

My name is **Kamal Dokurugu Ibrahim** – you can call me **Kamal**. I am a PhD student of Social Policy at the University of Edinburgh, United Kingdom.

Sponsorship

This research is part of my PhD programme sponsored by the Ghana Education Trust Fund (GETFund). It is mainly for the attainment of a PhD degree. The purpose is therefore largely academic.

What you will be asked to do in the study

Participants will be interviewed about their views and understanding of 'child fostering' and children 'best interests'.

Time required

Each interview session will take between 1 - 2 hours maximum.

Risks and Benefits

The research does not involve any activity that is likely to cause physical harm to participants. However, I have made arrangements with the guidance and counseling units of schools where children will be interviewed. Counseling support is therefore available in case there is the need for such service.

Compensation

I will pay travelling costs participants may incur.

Confidentiality

Participant's identity will be kept confidential to the extent provided by law. This means that your information will be assigned a code number that is unique to this study. The list connecting your name to this number will be kept in a locked file in my room and only I will have access to the list or your interview. No one in your school or home will be able to see your interview. When the study is completed and the data have been analyzed, the list will be destroyed. Study findings will be presented only in summary form and your real name will not be used in any report.

However, in a case when a child or young person reports an abuse or neglect, I will have to pass on such information to the appropriate authority within the school in order that you will be given the needed support.

Anonymity

Your name will not be mentioned within the report.

Voluntary participation

Your participation in this study is completely voluntary. Therefore, if you choose not to participate in this study, this will have no effect on you in any way. You may also refuse to answer any of the questions I ask you and you may ask that the interview be stopped at any time.

Right to withdraw from the study.

You have the right not to participate in this study. You may also choose to stop participating in the study at any time during the period I am conducting interviews.

Recording

I wish to audio record the interviews so that I can write my report at the end of the interviews. Agreeing to be recorded is required for study participation. However, the participant can request that the recording be stopped at any time during the interview, either permanently or temporarily. Only I will have access to the recordings. Throughout the research, the recordings will be securely stored away in my room and will be destroyed appropriately after

my degree. I will be transcribing the recording, and a typewritten version will be created. No names or other information that could be used to identify the participant will be included in the typewritten version. Also, I will do my best to disguise the identity of research participants in my transcribed data. Finally, the information given will not be used for any other purposes other than the aims and objectives of this research.

Feedback

Participants will be given verbal feedback of the study outcome within 6months after my graduation.

Who to contact if you have questions about the study

Kamal Dokurugu Ibrahim

Mobile: 020 33 72 333

Email: amradox2001@yahoo.co.uk

Thank you.

Appendix III: Letter of introduction to parents

Dear Parent/Guardian

My name is **Kamal Dokurugu Ibrahim**. I am a PhD student with the Department of Social Policy at the University of Edinburgh, United Kingdom. I am doing a research project with selected children and their parents within Tamale as part of my training. My research aims at getting views of children and young people, their parents and the views of professionals in policy making on how they understand 'child fostering' and children 'best interests'. I therefore wish to talk to some children who are not living with their birth parents, their birth parents as well as their foster parents. Your son/daughter has volunteered to participate in this study through his/her school, which is why I am contacting you.

The research will involve interviews. I plan to interview each participant for between 1-2 hours maximum. It is also possible that I might have to interview some participants more than ones depending on what I get from the first interview. The interviews will include questions around interviewees understanding of 'child fostering', and children's 'best interests'. Interviews will be confidential but they will be audio-recorded to help me remember what has been said so that I can write a report in the end. Interviewees have the right to say things and can ask me not to audio-record them or edit them at the end of an interview. However, in a case when a child abuse or neglect is reported, I will have to pass on such information to the appropriate authority within the school in the case of a child or young person or the appropriate authority within the community in the case of an adult. All recordings of interviews will be securely stored in my room and will be destroyed appropriately after my degree. I will do my best to disguise the identity of research participants in my transcribed data and the information given will not be used for any other purposes other than the aims and objectives of this research. Participants will also be given verbal feedback of the study outcome within 6months after my graduation.

The head teacher of your child's school is willing to cooperate and has given me access as a result of which your son/daughter has volunteered to participate in the research. The study has also been approved by the ethics committee at the University of Edinburgh. If you would like to know more about the study, I would be very happy to chat with you. In case you wish to do this, please feel free to contact me on:

Mobile: 0203372333.

Email: amradox2001@yahoo.co.uk.

Finally, I have spent time explaining the objectives and purpose of the study to your son/daughter in school. He/she has also been given a consent form to fill and return to me. I would therefore be very grateful if you could sign the attached form appropriately and return it to the school. First of all, the form requires your consent for your son/daughter participation in the study. Secondly, it requires you to confirm if you are willing to be interviewed.

Thank you.

Yours sincerely,

Kamal Dokurugu Ibrahim

Appendix IV: Consent form (Student)

I voluntarily wish to participate in this study. I have received a copy of the research information sheet and I understand that this study involves interviews. I am also clear about the fact that my interview will be audio-recorded and that it will be used for publications in future. I further understand that my completion and return of this consent form will be the basis for future contacts about this study.

Signed..... Date.....

Appendix V: Consent form (Parents)

I have read the attached information and understand the procedure involved in your research study. I also understand that this study involves interviews which will be audio-recorded and that my son/daughter * (print name)..... is participating in this study voluntarily. I further understand that my completion and return of this consent form will be the basis for further action.

(Please tick the TWO appropriate boxes)

I **do give** permission for my child to participate in the study ☐

I **do not** give permission for my child to participate in the study ☐

I **do** agree to participate in the study ☐

I **do not** agree to participate in the study ☐

Signed.....

Date.....

Appendix VI: Overview of interview questions

Introduction

*My name is **Kamal Dokurugu Ibrahim**. I am a PhD student in Social Policy at the University of Edinburgh, United Kingdom. My research aims at getting your views on child fostering and how you understand children best interests. It is sponsored by the Ghana Education Trust Fund (GETFund). The research involves interviews and each interview session will take between 1-2 hours maximum. You have stated in your consent form that it is ok to audio record. Can you confirm this again to me before we start the interview, please?*

(1). Interview group one: Children and young people

A. Questions on fostering:

A1. Personal life story

- If you were to tell me a story about your life in foster care, what will your story be?

A2. Process and procedure

- How were you fostered; age of fostering; relationship to foster parent; push factors; and what facilitated your fostering.
- Can you remember the decision making process and did you have a voice in the decision making process?
- Did you have access to information regarding what was going to happen prior to your fostering?
- Are you aware of any terms of engagement and/or any agreement signed?

A3. Conceptualisation

- How do you understand ‘child fostering’ or what is your understanding of ‘child fostering’?
- Why do you think you were fostered out by your parents? Why do you think your foster parents took you in?
- What is the importance of ‘child fostering’ to you?
- How does fostering promote survival?
- How does fostering promote your development?

A4. Practice and outcome

- Please tell me about the living arrangement in your foster home?
- How will you describe your relationship with your foster parents?
- What are your likes and dislikes of child fostering?
- How will you describe your general life condition, including your health, education, work, food, shelter and general wellbeing?
- Do you have contact with your birth parents? How regular is this in a year?
- What are your views on your fostering situation overall, specifically, what do you consider as its Strengths, Weaknesses, Opportunities and Threats to you?

B. Questions on ‘best interests’ of the child

- Please share with me your thoughts about children best interests?
- Please explain to me what you consider as your best interest.
- What are your experiences regarding your ‘best interests’ as far as you can remember?
- Who decides your ‘best interests’ as a fostered child?
- Do you think there any potential tensions between birth parental interests, foster parental interests and your own interest? Please explain your answer.

C. Questions on policy

- Are you aware of a government of Ghana policy on child fostering?
- If you were to participate in making a policy on child fostering, what two things would you make sure is considered in the policy?
- In your view, how can the government of Ghana help improve the current situation of foster children the country?

**We are about to end this interview session but before we do it is my pleasure to invite you to make any comments or additional statements about the interview. You can also choose to tell me anything related to the interview. For instance, is there something you wish to discuss that I did not ask? Also do feel free to let me know at this point if you wish to withdraw something that you said earlier in the interview. **

I also wish to remind you that if you need support you can talk to a member of your school guidance and counselling unit who are aware of today's interview session with me.

Thank you for your time and for talking to me. I look forward to seeing you again sometime.

(2). Interview group two: Birth and foster parents

A. Questions on fostering:

Plenary:

- May I know if you were fostered yourself?
- Does this have any implications for how you feel about child fostering?

A1. Process and procedure

- What is the story behind you fostering X/Y? What makes him/her fosterable? Whose decision was it to foster him/her? What qualities did you look for before fostering him/her? Are some particular children not fosterable? Why or why not? This specifically will seek to address the issue of non-discrimination.
- Is fostering a process or an event? What/how is the decision process? In either case, how different or the same is it for either genders and why?
- Does the child have a voice?
- What role does the general society play?
- Are there any terms of engagement or an agreement signed when a deal is reached to foster a child?
- Is foster care cyclical among Dagomba? For instance in Europe and America, when one is in care, there is the likelihood to have the children taken into care.

A2. Conceptualisation

- What is the conceptualisation of a 'child fostering' among the Dagomba?
- What is the importance of fostering?
- How does fostering promote the survival and development of the child?

A3. Practice and outcome

- What is the acceptable outcome of fostering situations on the average among the Dagomba?
- What are your views of as parents of best practice of fostering within Dagbon culture?
- What are your views on child fostering overall, specifically, what do you consider as its Strengths, Weaknesses, Opportunities and Threats?

B. Question on ‘best interests’ of the child:

- What does the concept of ‘best interests’ of the child mean to you as birth/foster parent?
- In what ways do you consider as children’s experiences of the concept of ‘best interests’ under child fostering?
- How is the ‘best interests’ of the child protected, promoted and provided for among Dagomba, especially under fostering situations?
- Who decides the ‘best interests’ of the child under fostering situations? Are there any potential tensions between parental interests, foster parental interests and the child ‘best interests’?
- How altruistic is the decision on the child’s best interests under child fostering? What is the connection between ‘best interests’ of the child and altruism?

C. Questions on policy:

- Are you aware of a government of Ghana policy on child fostering?
- If you were to participate in making a policy on child fostering, what two things would you make sure is considered in the policy?
- In your view, how can the government of Ghana help improve the current situation of foster children the country?

**We are about to end this interview session but before we do it is my pleasure to invite you to make any comments or additional statements about the interview. You can also choose to tell me anything related to the interview. For instance, is there something you wish to discuss that I did not ask? Also do feel free to let me know at this point if you wish to withdraw something that you said earlier in the interview. **

Thank you for your time and for talking to me. I look forward to seeing you again sometime

(3). Interview group three: Professionals

A. Questions on fostering:

A1. Conceptualisation

- What is the conceptualisation of ‘child fostering’ in Ghanaian policy?
- What is the importance of child fostering in Ghana?
- How does child fostering promote the survival of the child?
- How does child fostering promote the development of the child?

A2. Process and procedure

- What is the policy framework for fostering in Ghana?
- Who is fosterable, who decides and on what bases?
- Are some particular children not fosterable? Why or why not? This specifically will seek to address the issue of non-discrimination.
- Is fostering a process or an event? What/how is the decision process? In either case, how different or the same is it for either genders and why?
- Does the child have a voice?
- What role does the government play during fostering?
- Is there evidence to suggest that foster care is cyclical among families in Ghana? For instance in the minority world, when one is in care, there is the likelihood to have the children taken into care.

A3. Practice and outcome

- What is the acceptable outcome of fostering situations on the average in Ghana
- How is this monitored?
- What are the views of policy makers on best practices of child fostering within the Ghanaian context?

B. Questions on ‘best interests’ of the child:

- What is the conceptualisation of ‘best interests’ of the child under Ghanaian policy framework?

- In what ways do policy makers consider as children's experiences of the concept of 'best interests' in flexible ways under different forms of child fostering in Ghana?
- In what ways does the Ghanaian policy framework promote the 'best interests' of the child under fostering situations in Ghana?
- In what ways does the Ghanaian policy framework protect the 'best interests' of the child under fostering situations in Ghana?
- Who decides the 'best interests' of a fostered child under Ghanaian policy?
- In a case when there are any potential tensions/conflicts between parental interests, and the child's interests, what mechanism is used to negotiate a solution?
- What do you think are the challenges of operationalizing the 'best interests' of the child as enshrined in the UNCRC under fostering situations in Ghana?

C. Policy related questions

- Clause 64 of ACT 560 of Ghana describes 'foster-care placement' but this largely contains information regarding residential care. What are your views of Ghana's policy on child fostering?
- What do you think is the way forward?
- Do you think there is a problem promoting the principle of 'best interests' of the child in societies where traditional laws and practices are still strongly observed in favour of the family and community at large?
- How is the Ghanaian policy framework able to overcome this problem?
- What Strengths, Weaknesses, Opportunities and Threats does the current Ghanaian policy on child fostering contribute in operationalizing the 'best interests' of the child under the international children rights framework?
- In what ways can the current policy on child fostering be improved to make life better for foster children in Ghana?

Thank you for your time and for talking to me. I look forward to seeing you again sometime.

Appendix VII: Research participants

Identification code	Pseudonym	Gender	Religion	Age fostered (years)	Present age (years)	Interview number
FAMILIES – Children and young people, birth and foster parents						
FC1	Zara	F	Muslim	6	13	3
Father – BP 1		M	Muslim	-		33
Aunty (Paternal) – FP 1		F	Muslim	-		27
FC 2	Nyahisim	F	Muslim	7	17	8 & 9
Mother – BP 2		F	Muslim	-		
Grandmother (Paternal) – FP 2		F	Muslim	-		
FC3	Hawa	F	Muslim	11	15	24
BP 3	-	-	-	-	-	-
Aunty (Maternal) – FP 3		F	Muslim	-	-	34
FC 4	Saha	M	Christian	Less than 1	17	2
Mother (his father passed on when the mother was pregnant of him) – BP 4	-	-	-	-	-	-
Uncle (Maternal) – FP 4		M	Christian	-	-	35
FC 5	Suhiyini	M	Muslim	10	18	1
Mother – BP 5		F	Muslim	-	-	
Family friend (Grandfather) – FP 5		M	Muslim	-	-	32
FC 6	Rahman	M	Muslim	7	17	12
Father – BP 6		M	Muslim	-	-	29 & 30
Uncle (Maternal) – FP 6		M	Muslim	-	-	31
FC 7	Muni	F	Muslim	6	21	13
Father – BP 7		M	Muslim	-	-	7
Grandmother (Paternal) – FP 7		F	Muslim	-	-	42
FC 8	Abigail	F	Christian	6	20	25
Mother – BP 8		F	Christian	-	-	
Grandmother		F	Christian	-	-	

(Maternal) – FP 8						
FC 9	Sala	F	Muslim	7	21	14
Father BP 9		M	Muslim	-	-	43
FP 9			Muslim	-	-	
FC 10	Osman	M	Muslim	7	23	28
Mother – BP 10		F	Muslim	-	-	37
Grandfather (Paternal) – FP 10		M	Muslim	-	-	6
FC 11	Mohammed	M	Muslim	8	20	26
Father – BP 11		M	Muslim	-	-	39
Uncle's wife – FP 11		F	Muslim	-	-	44
FC 12	Hassan	M	Muslim	13	22	38
Mother – BP 12		F	Muslim	-	-	41
Grandmother (Father's aunty) – 12		F	Muslim	-	-	40
POLICY MAKERS						
PM 1	Mr. Kuma	M	Christian	-	-	18
PM 2	Rev. John	M	Christian	-	-	10 & 11
PM 3	Lawyer Ibrahim Mahama	M	Muslim	-	-	36
PM 4	Mr. Sylvester	M	Christian	-	-	19 & 20
PM 5	Mrs Asamoah	F	Christian	-	-	23
PM 6	Mr. Iddris Abdallah	M	Muslim	-	-	21 & 22
PM 7	Alhaji Alhassan	M	Muslim	-	-	15, 16 & 17
PM 8	Chief Vo Naa Bawa	M	Muslim	-	-	45
PM 9	Dr. Salifu	M	Christian	-	-	4 & 5

KEY

	Children and young people
	Birth parents
	Foster parents
	Professionals

Appendix VIII: Themes for analysis

A. Children and young people

Major themes	Sub-themes
Bio data	Gender
	Age
	Age fostered
	Religion
	Number of children of birth parents
	Relationship to foster parents
Fostering story	Story
Fostering:	Understandings and terminologies
	Reason fostered out
	Reason fostered in
	Importance of fostering
	<ul style="list-style-type: none"> - Terms/conditions - Issues and challenges
Child survival and development	Fostering and child development: <ul style="list-style-type: none"> - Variables/determinants - Aspects of child development
	Fostering and child survival: <ul style="list-style-type: none"> - Variables/determinants
Children's participation and 'agency'	Agency: <ul style="list-style-type: none"> - The ability to be heard and make a difference in your own life which include the issue of voice/voicelessness of the child - Determinants
Best interests of the child (BIC)	Meanings and terminologies
	Experiences of BIC
	Determining BIC
Legislation and policy	Policy and legislative awareness
	Policy suggestions

B. Birth parents

Major themes	Sub-themes
Bio data	Gender
	Marital status
	Number of wives (if male and married)
	Number of children and gender ratio
	Number and gender of children fostered out
	Number and gender of children fostered in
	Was the interviewee fostered or not?
Fostering story	Story behind fostering of CP
Fostering	Fosterability and/or unfosterability
	Process and/or event
	Conditions/terms of engagement
	Definition/meaning/conceptualisation of fostering
	Importance
	Acceptable and/or unacceptable outcomes
	Best and/or worse outcomes
	SWOT of fostering
Best interests of the child (BIC)	Best interests of the child (BIC): <ul style="list-style-type: none"> - Conceptualisation/meaning/definition - Determiners - How is it resolved in case of a conflict?
Legislation and policy	<ul style="list-style-type: none"> - Policy awareness - Policy suggestions

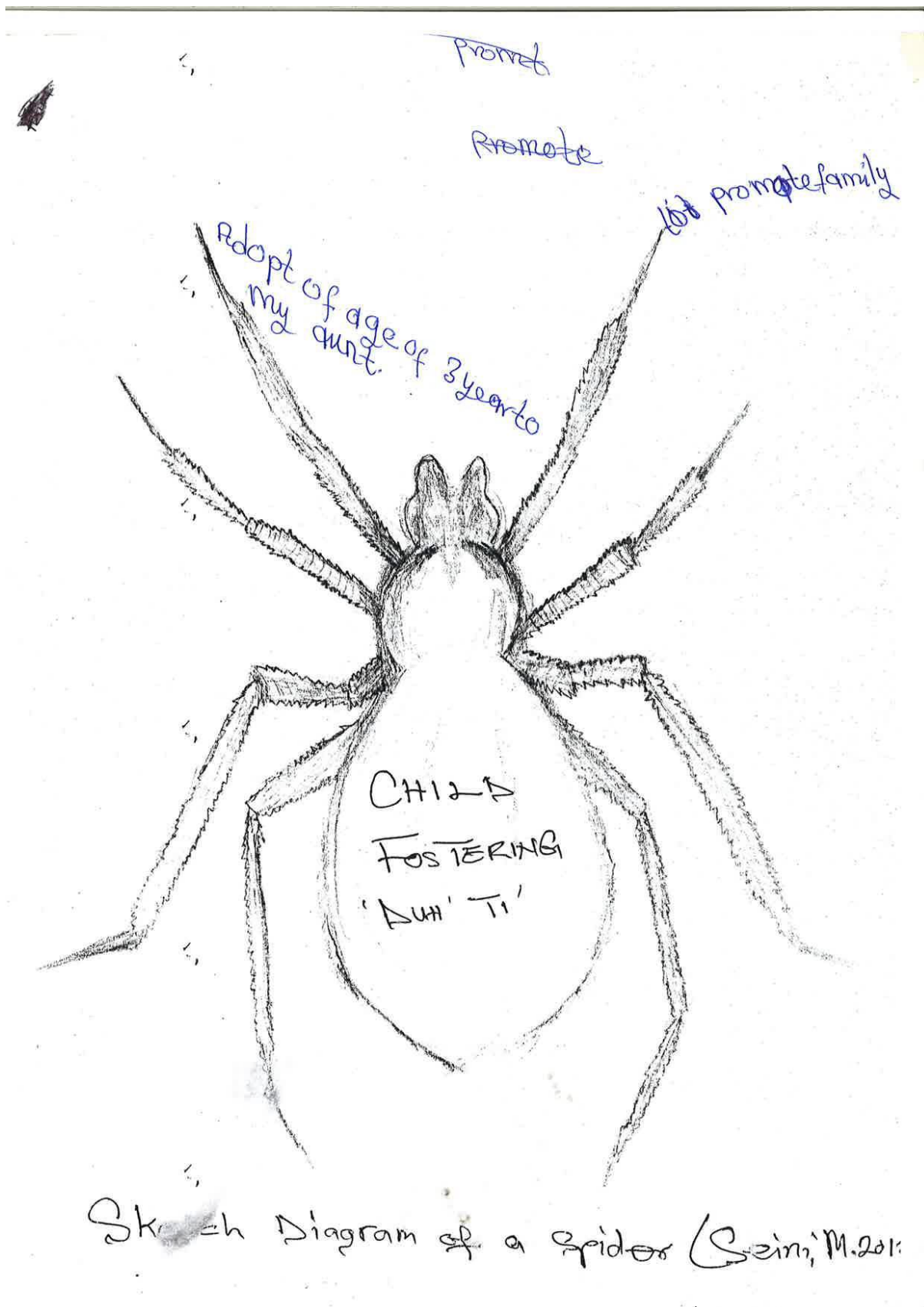
C. Foster parents

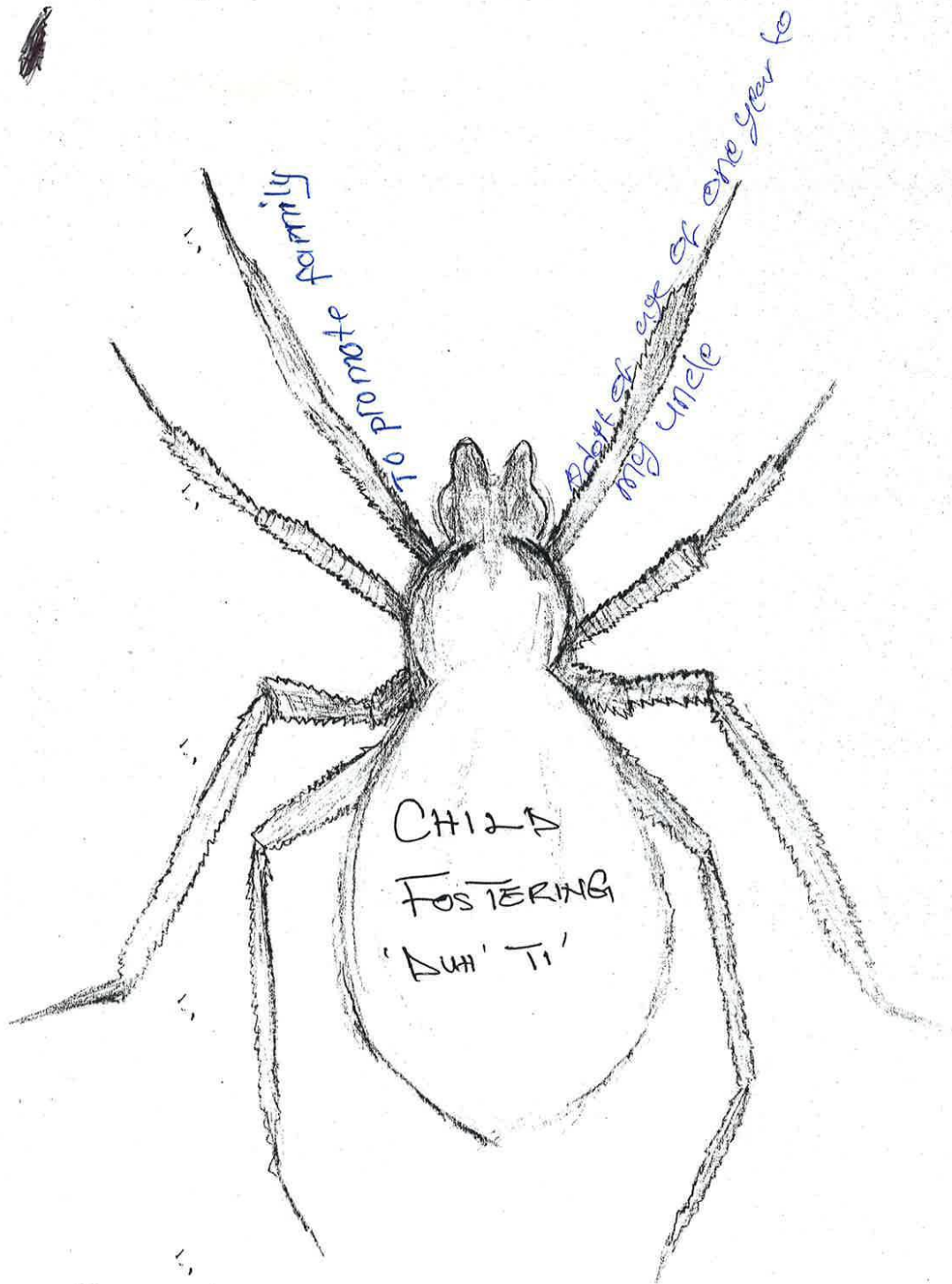
Major themes	Sub-themes
Bio data	Gender
	Marital status
	Number of wives (if male and married)
	Number of children and gender ratio
	Number and gender of children fostered in
	Number and gender of children fostered out
	Was interviewee fostered?
Fostering story	Story behind fostering of CP
Fostering	Process and/or event
	Fosterability and/or unfosterability
	Voice and/or voicelessness
	Terms and/or conditions
	Definitions/terminologies
	Importance
	Outcomes
	Best practices
	SWOT
BIC	BIC: Conceptualisation
	Deciding BIC
Legislation and policy	Policy awareness
	Policy suggestions

D. Professionals

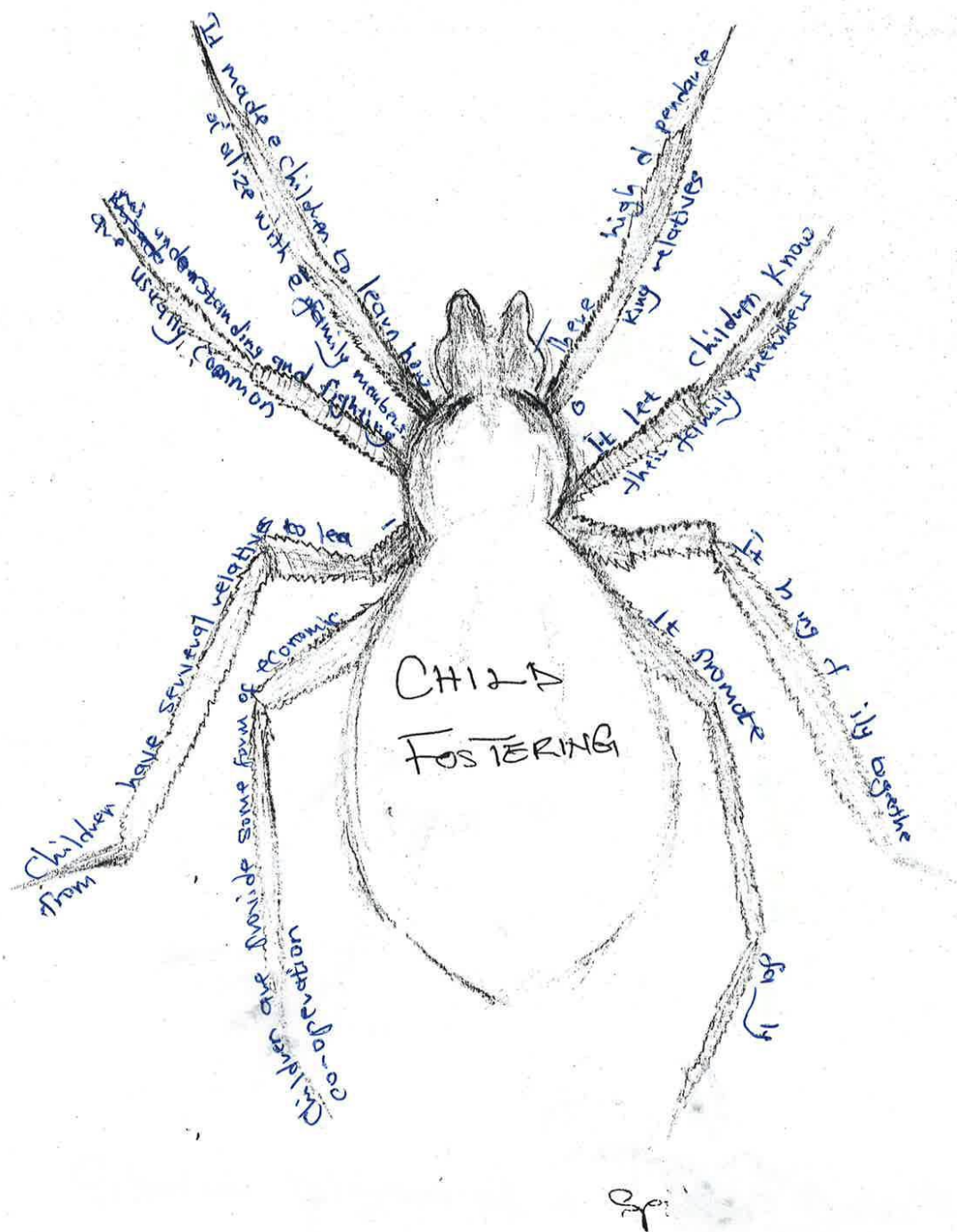
Major themes	Sub-themes
Fostering	Definitions /Terminologies of fostering
	Importance of fostering to the Dagomba
	Age of fostering
	Who fosters who?
	Fosterability/unfosterability e.g disability
Processes	Processes: <ul style="list-style-type: none"> - Choosing to foster in and/or out - Matching/Monitoring/Gifts/Rituals - Event or process?
	Successes/failure in terms of outcomes: <ul style="list-style-type: none"> - Determinants/indicators - On-going/ultimate - How is this judged and by who?
	Issues of inheritance
Issues and Challenges	Speculations about the future of the practice: <ul style="list-style-type: none"> - Change/modification or abolish? - If change; what to change?
	Best/worst practices: <ul style="list-style-type: none"> - How is this judged and by who?
	Exploitation – the narrative in this category will be subjective.
	Emotional dimensions of fostering in Dagombas <ul style="list-style-type: none"> - Feelings of children - Feelings of foster parents - Feelings of birth parents
Child survival and development	Fostering and child development: <ul style="list-style-type: none"> - Variables/determinants - Aspects of child development
	Fostering and child survival: <ul style="list-style-type: none"> - variables/determinants
Child participation or ‘agency’	Agency – the ability to be heard and make a difference in your own life. Voice/voicelessness of the child: <ul style="list-style-type: none"> - Determinants
Best interests of the Child (BIC)	Meanings and terminologies of BIC
	Promoting BIC
	Determining BIC
	Challenge of operationalisation BIC
	Child fostering under domestic legislation
	Protecting BIC
	Operationalisation of BIC in legislation and
Legislation and policy issues	Legislation versus culture

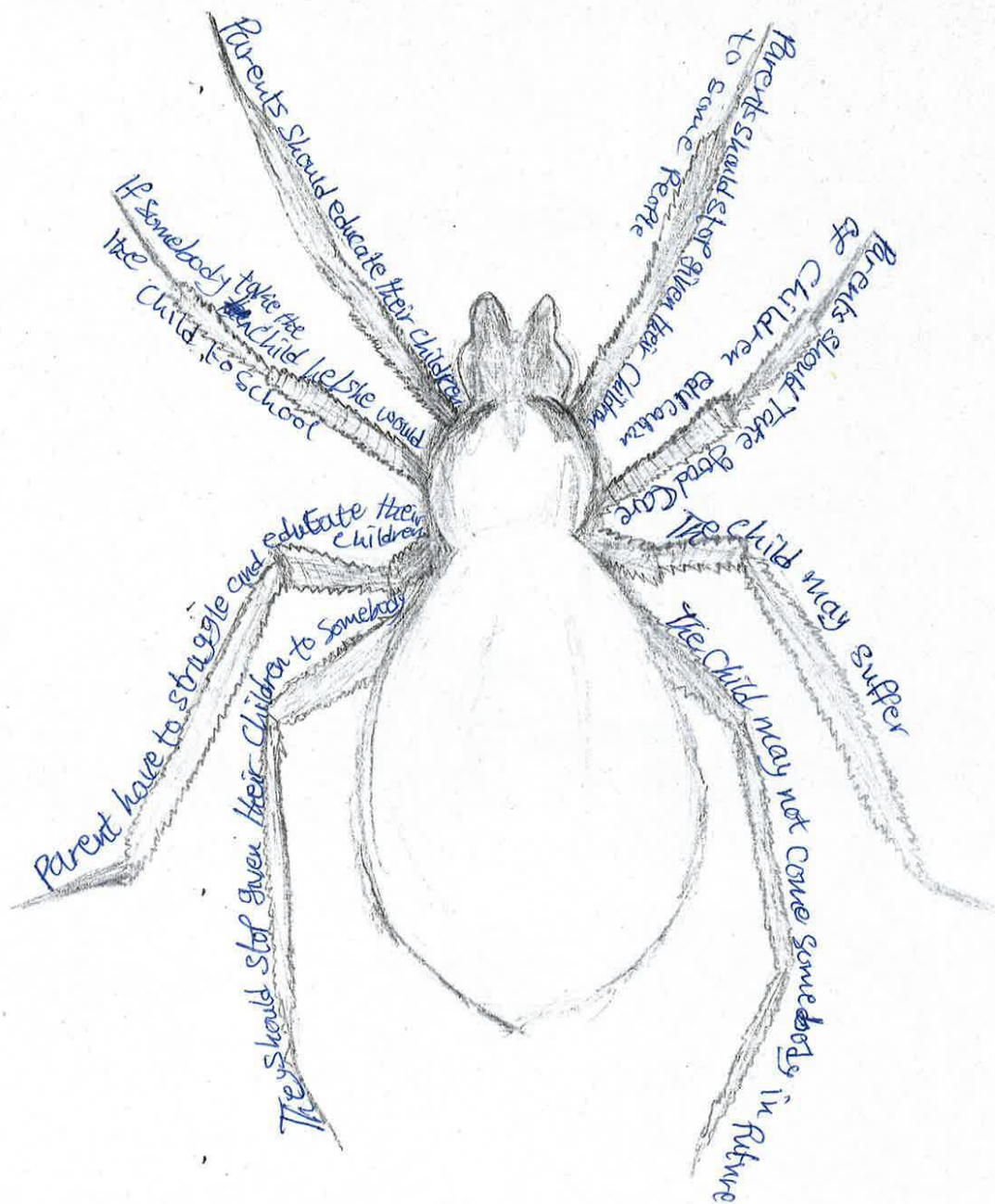
Appendix IX: Spider diagrams





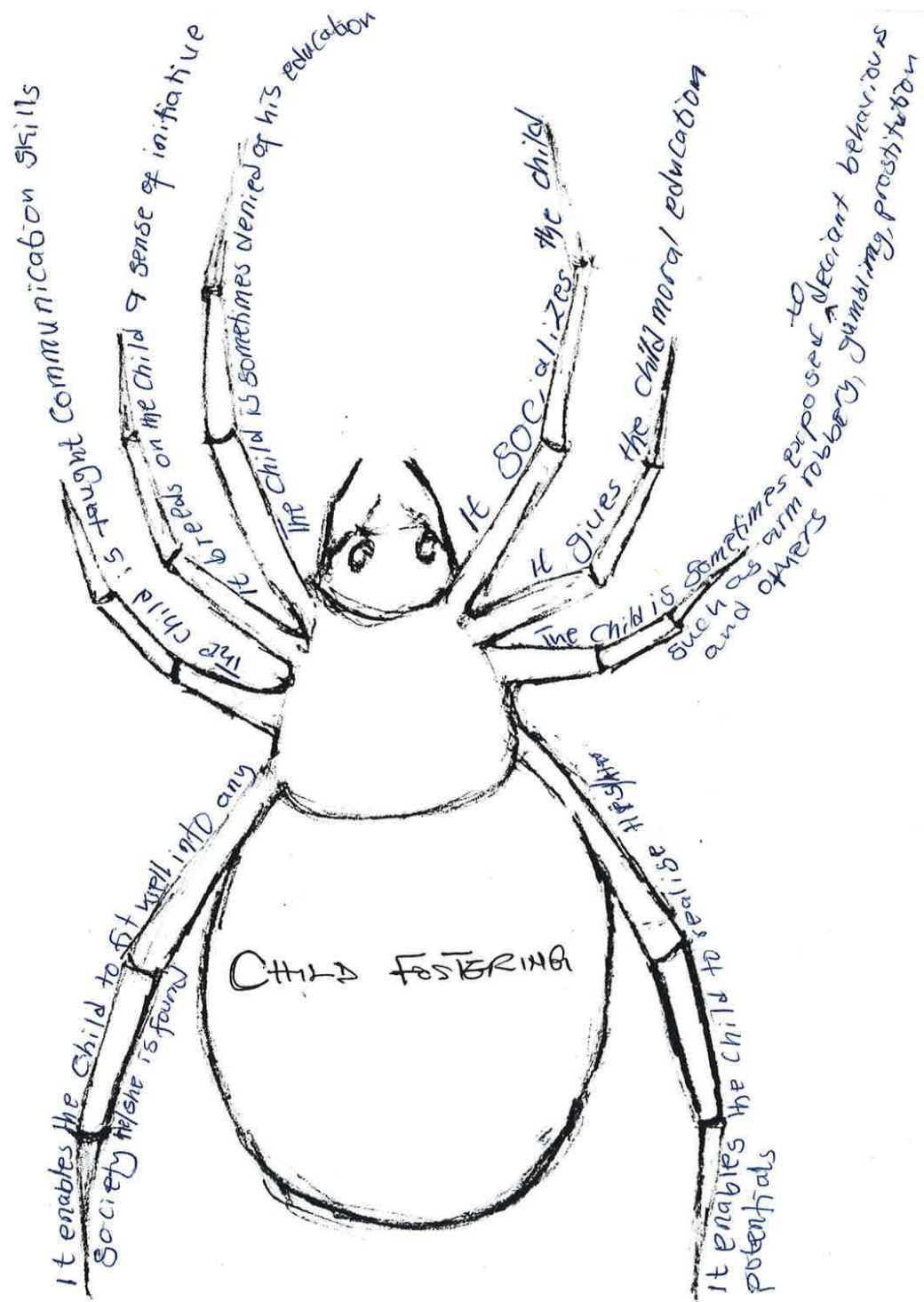
Sketch Diagram of a Spider (Seini, M. 2011)

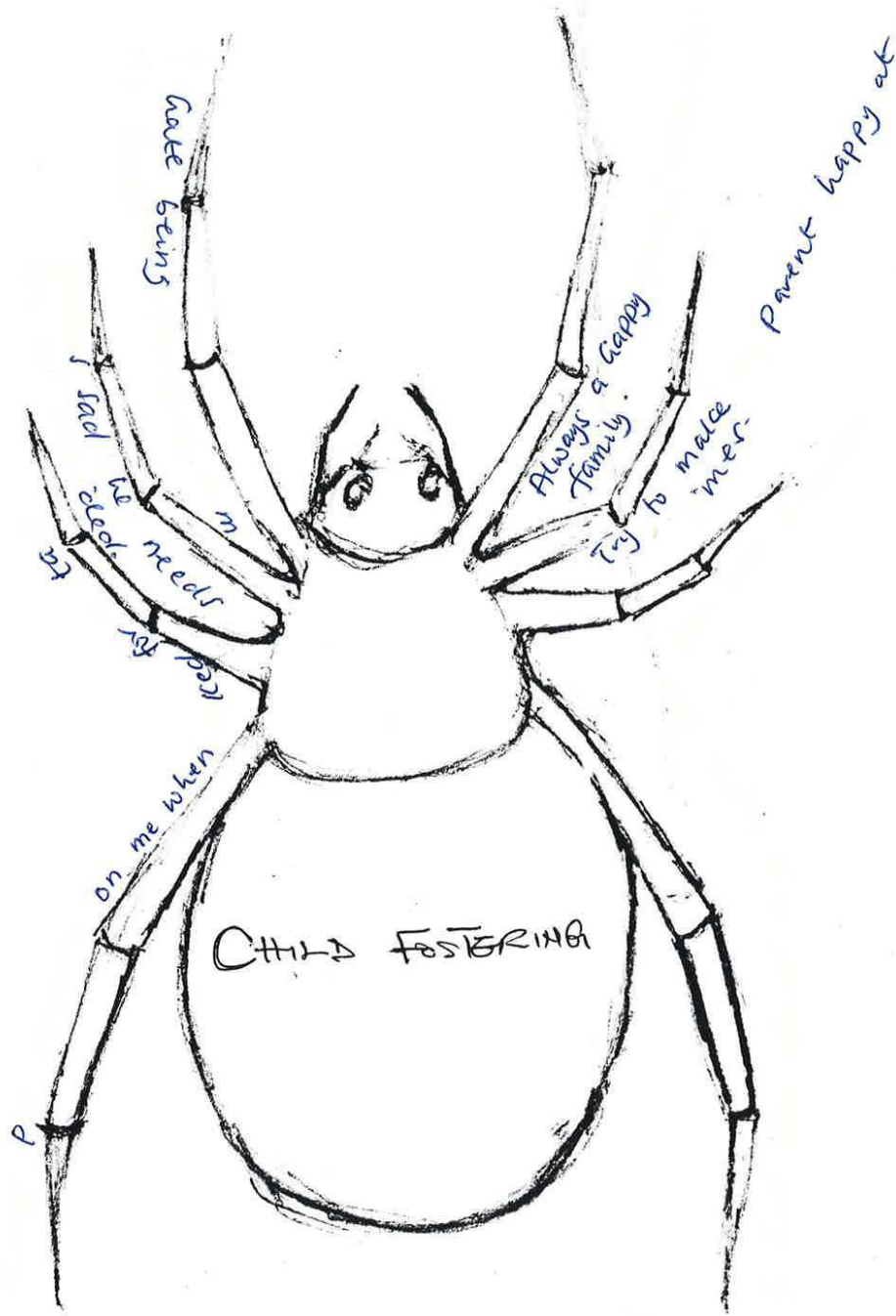


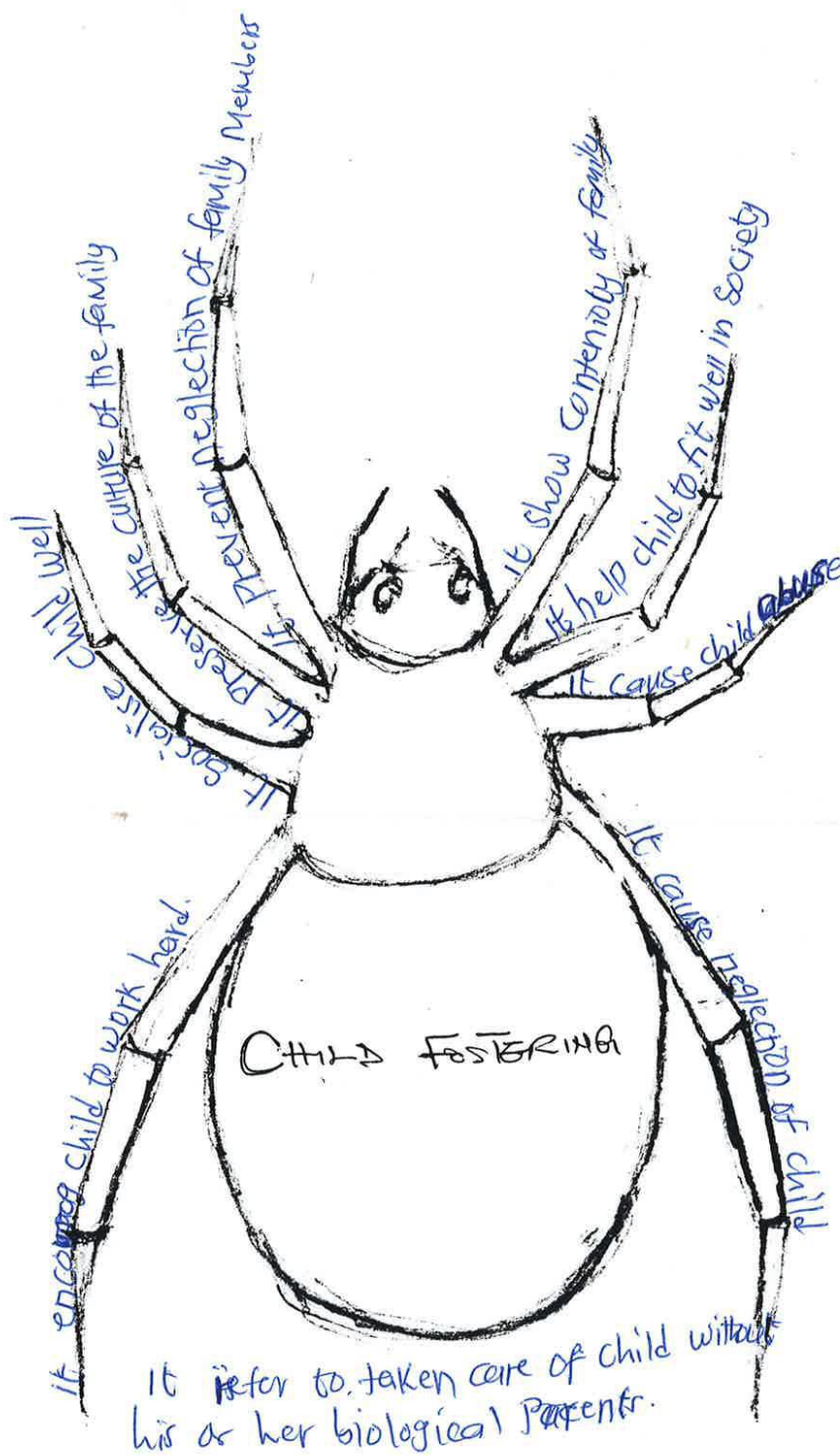


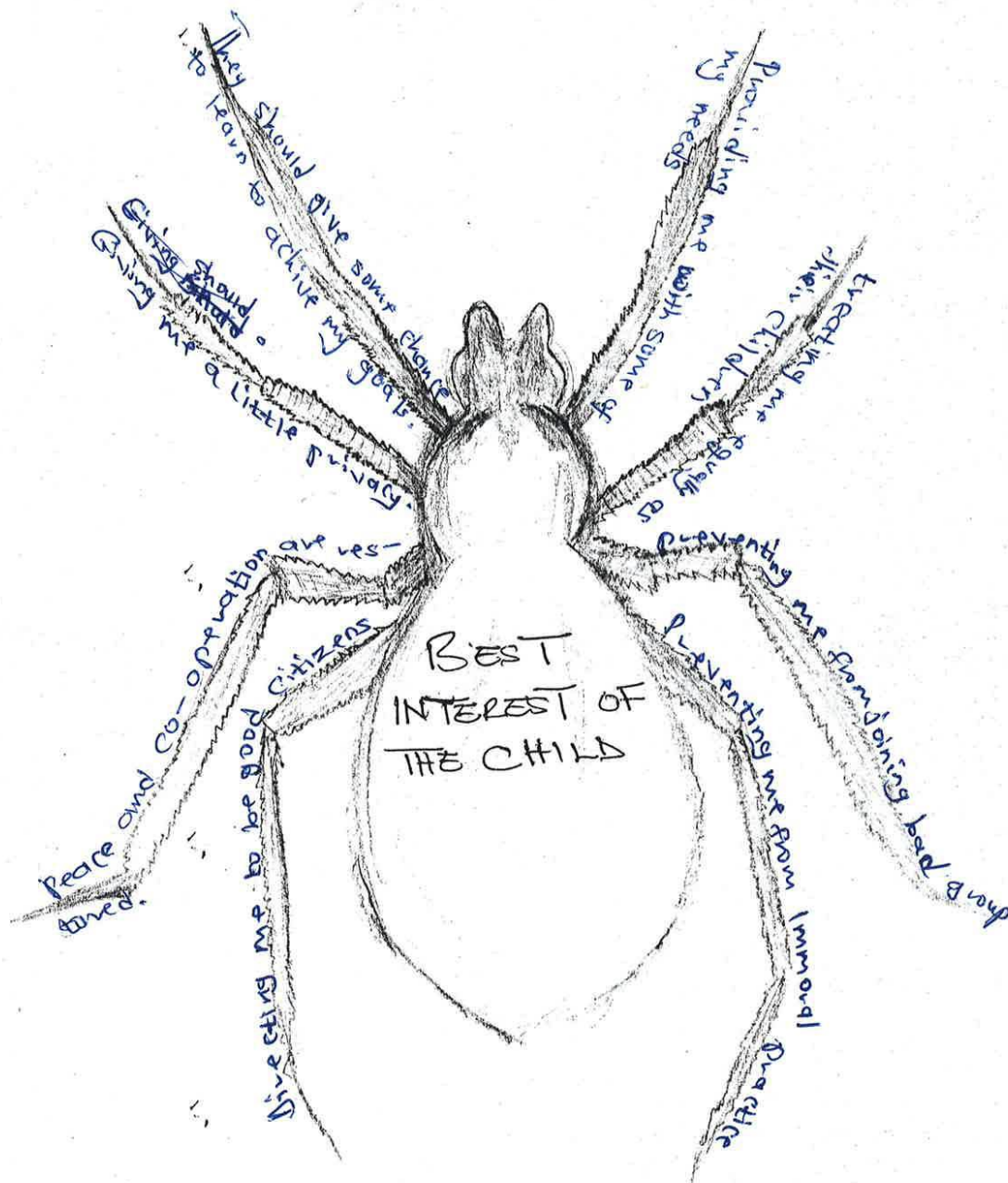
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by
D. R. R. R.

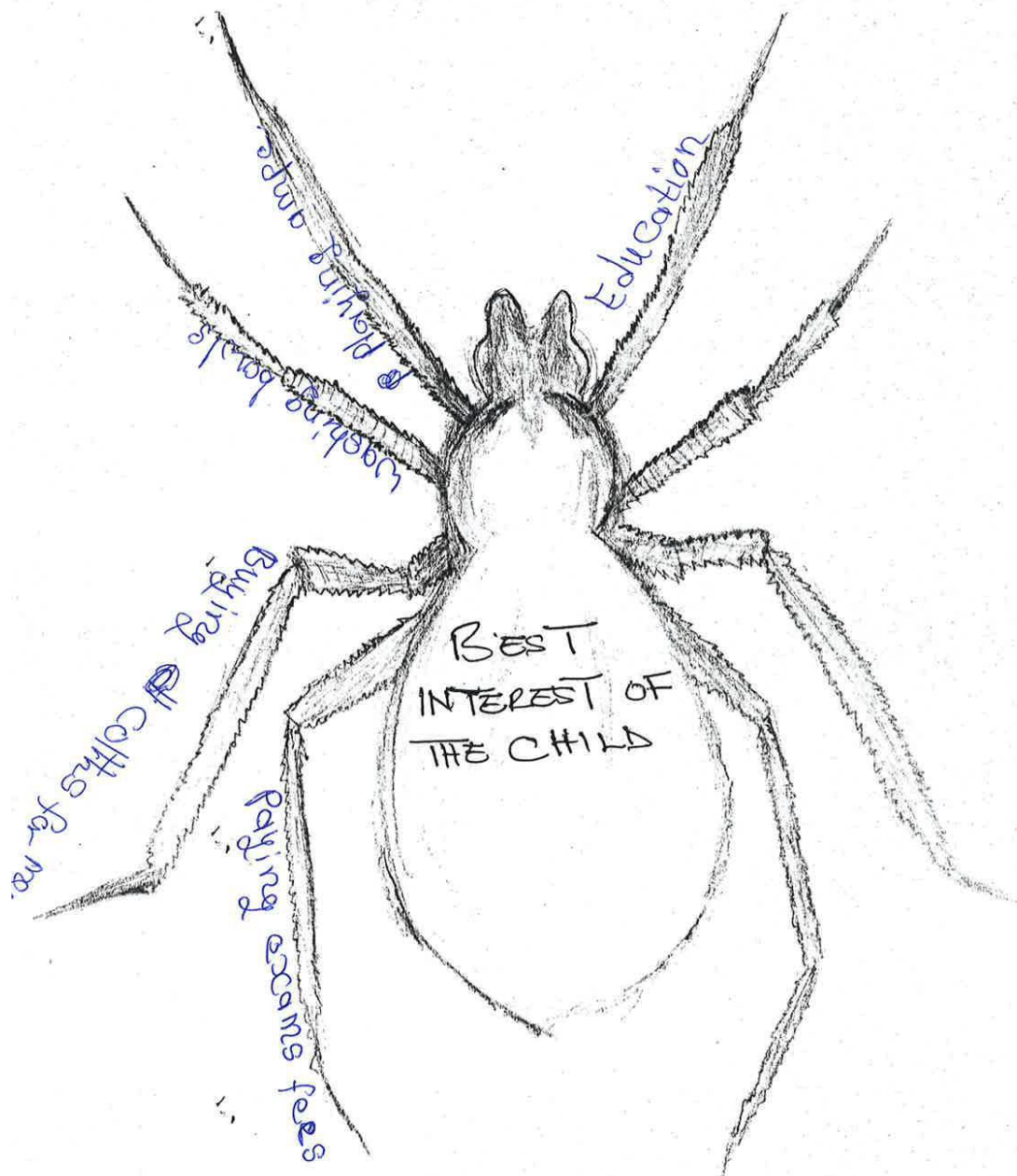




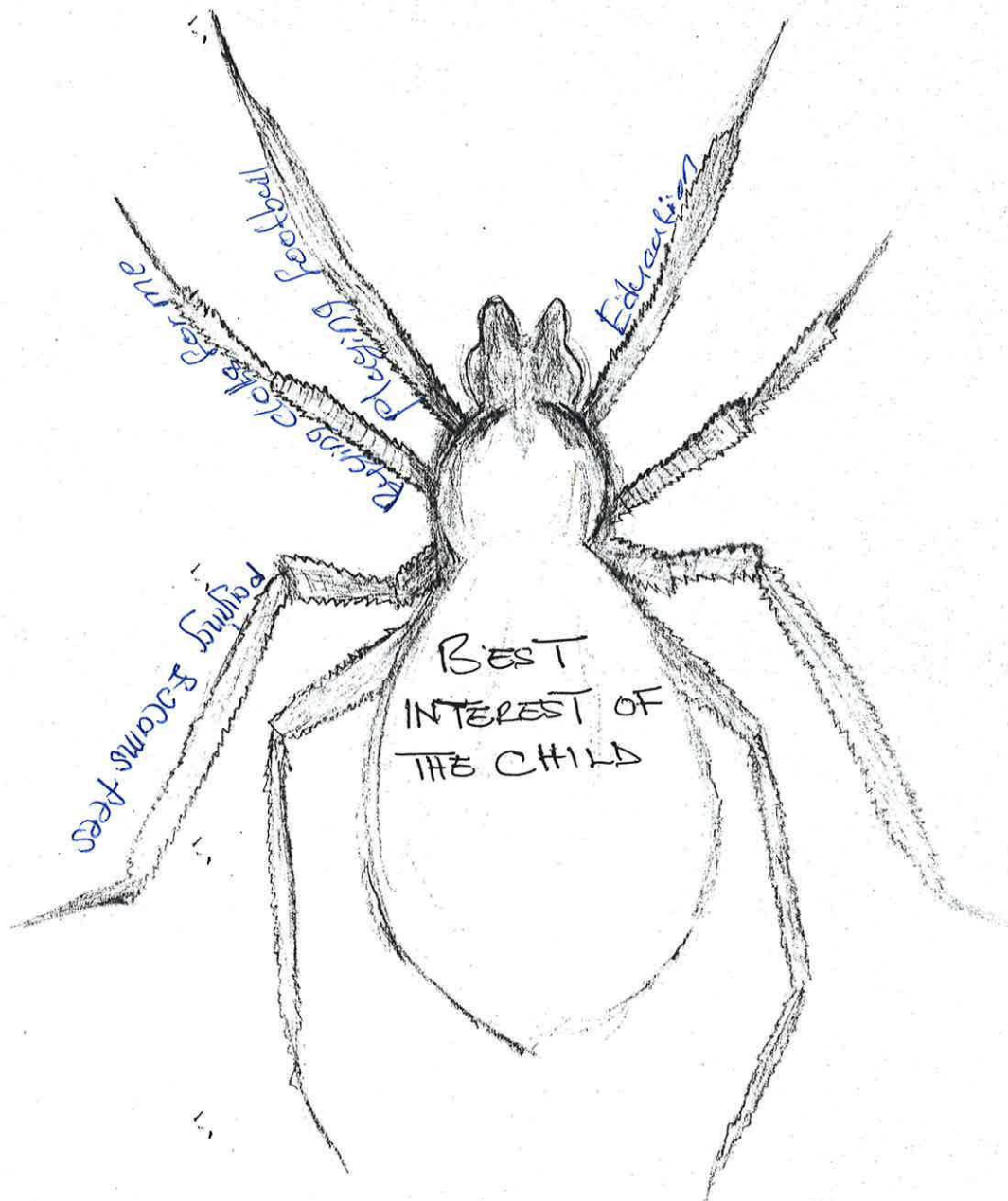




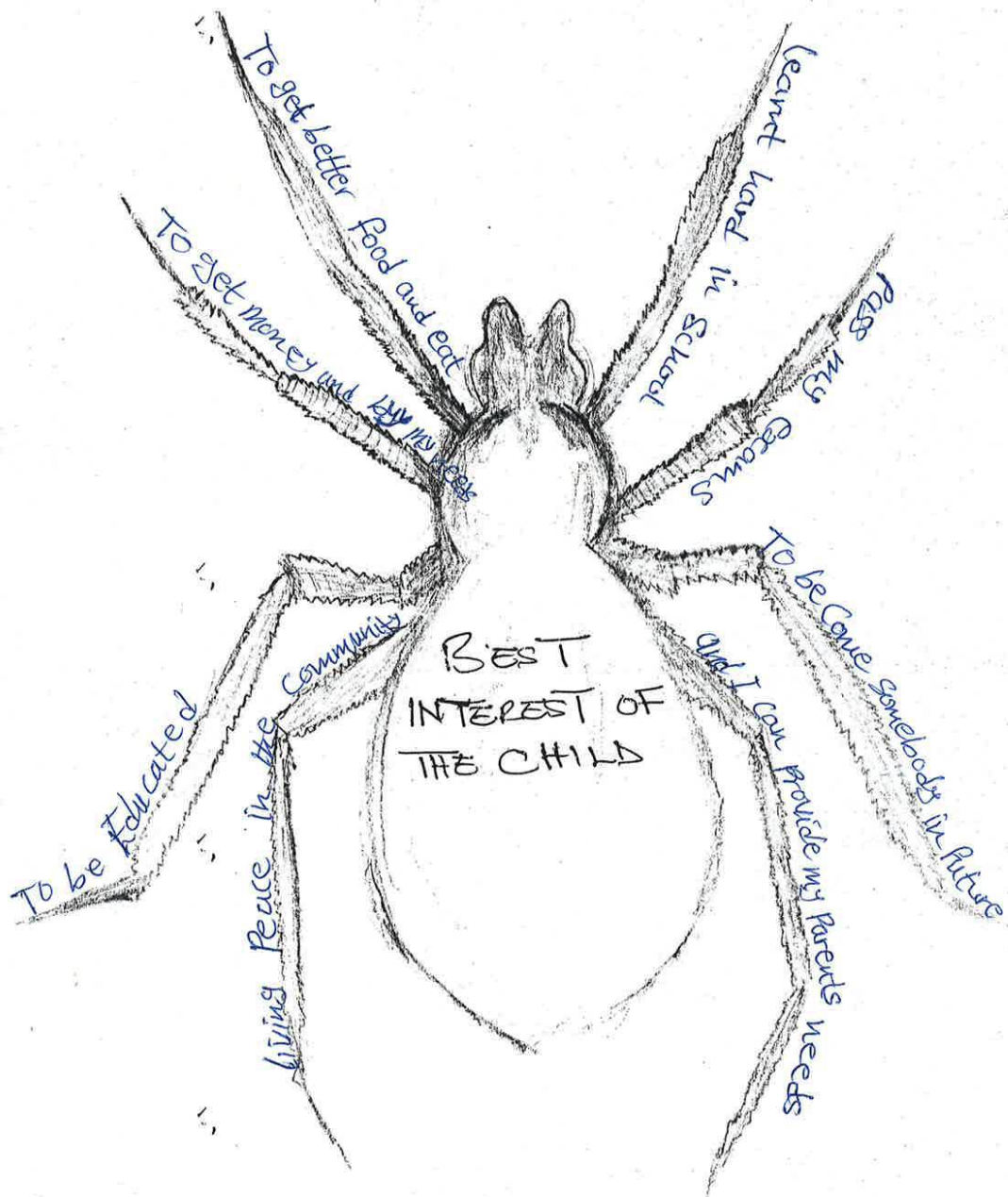
Sketch Diagram of a Spider. (Seini, M. 2012)



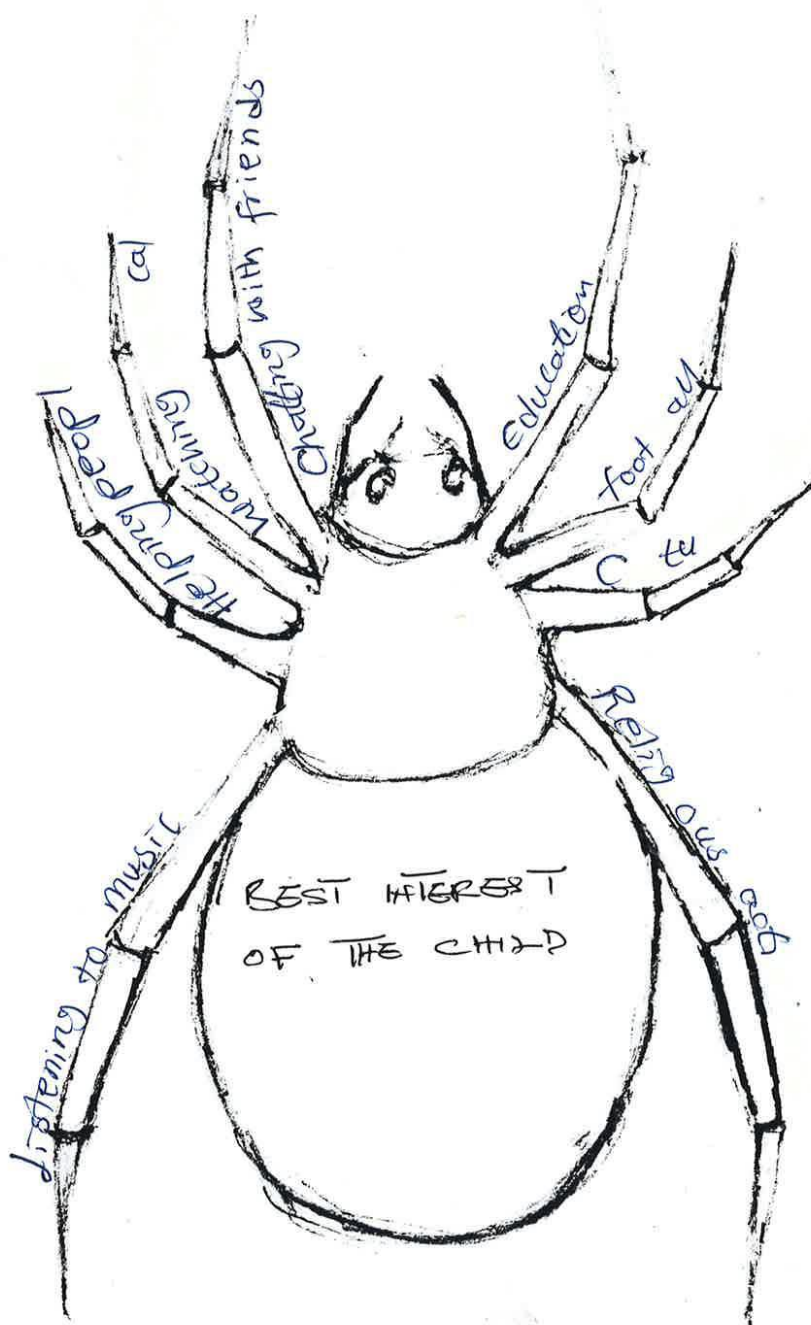
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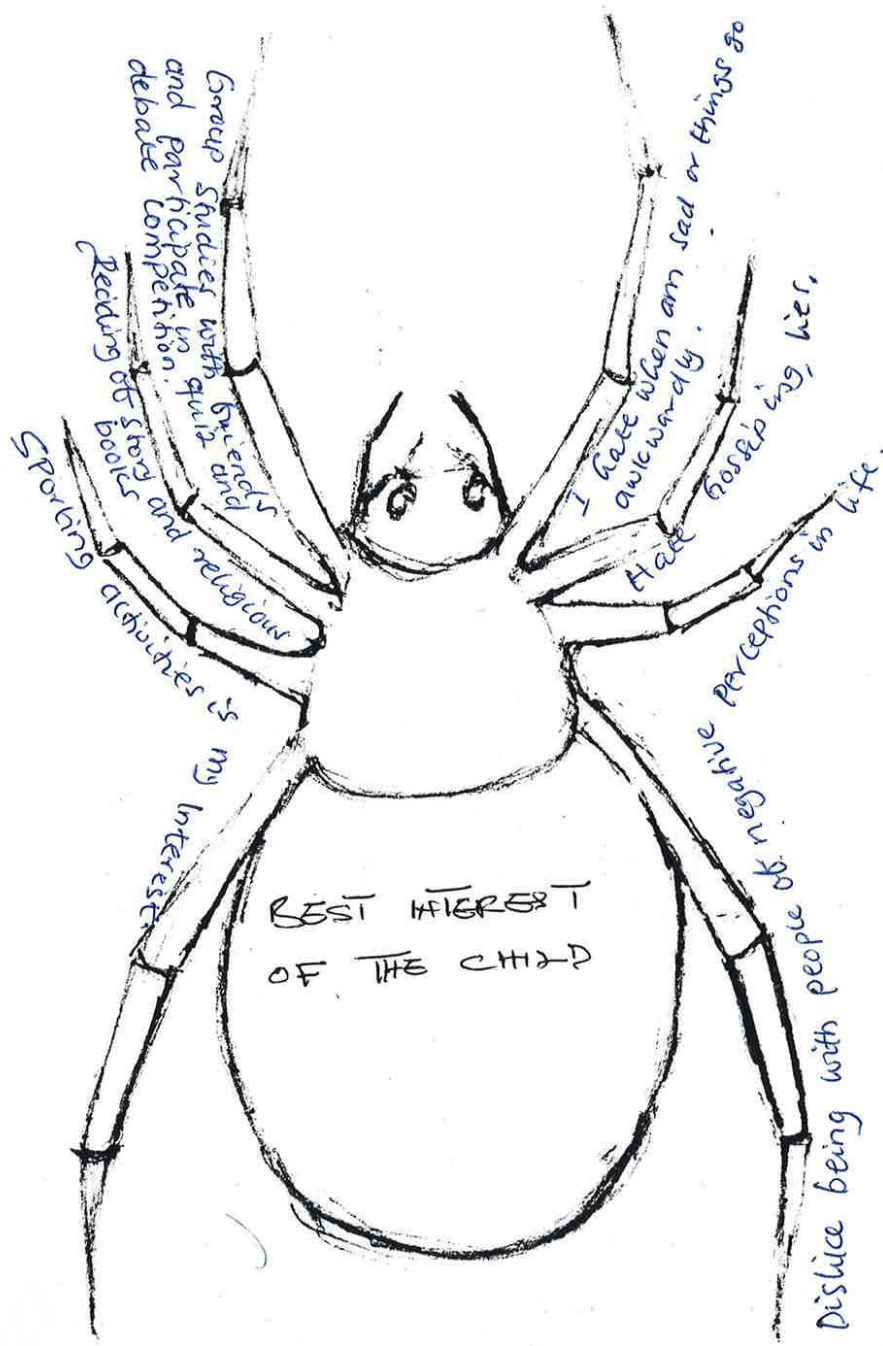


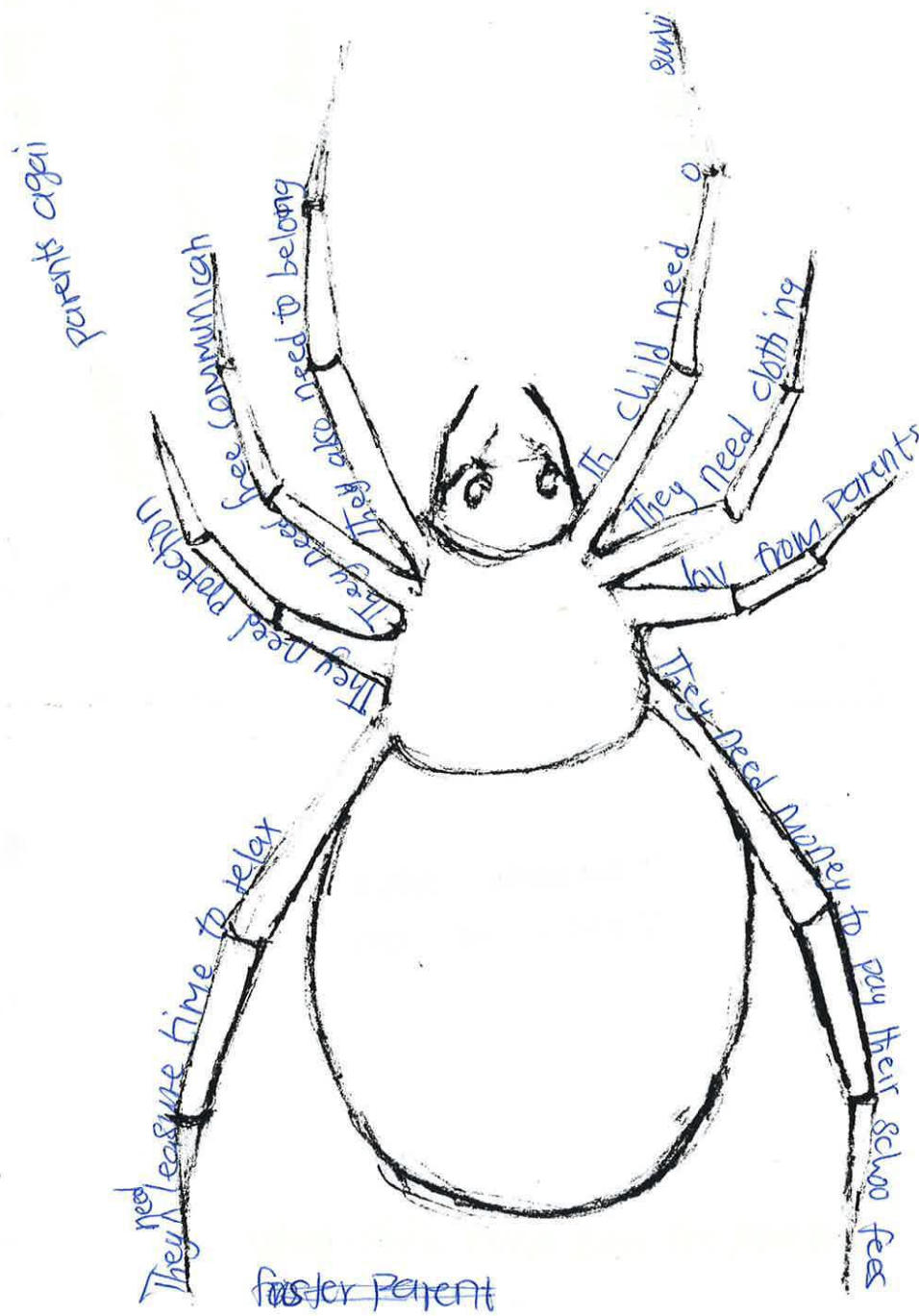
Sketch Diagram of a Spider. (Seini, M. 2012)



Sketch Diagram of a Spider. (Seini, M. 2012)







Appendix X: Research sites

A. Bagabaga Ridge Junior High School, Tamale



B. Kalpohin Senior High School, Tamale

